

Circuit Court of the United States
Rhode Island District.

November Term 1839,

Anasa Stane of Johnston in said District
complain^{ing} of William Sprague of Narrick
in said District ~~of~~ and Anasa Sprague
of Cranston in said District. Manufactured
Owners of Mills in said Narrick. Summons.
ed by the Marshal of said District in an
action of the case. For that the Plaintiff
was the original and first inventor of a
certain new and useful improvement on a
machine or manufacture in the Letters Patent
hereinafter mentioned and fully described, the
same being 'a new and useful improvement
on Looms not known or used before his
discovery, which consists in the communi-
cation of motion from the reed to the yarn
beam and in the connection of the one to the
other,' - which was not known or used in
public use or on sale with his consent or allow-
ance at the time of his application for a
Patent as hereinafter mentioned. And the
Plaintiff being so aforesaid the inventor thereof
and being also a citizen of the United States
on the Thirtieth day of April in the year of
our Lord One Thousand Eight Hundred
and Twenty Nine upon due application
therefor did obtain certain Letters Patent
therefor in due form of Law under the
Seal of the United States signed by the
President of the United States and the

Secretary of State and certified by the Attorney General of the United States. bearing date the day and year aforesaid. whereby there was secured to him his heirs administrators executors or assigns from and after the date of the Patent the full and exclusive right and liberty of making constructing and vending to others to be used the said improvement as by

^{* a certified copy is hereto annexed} said Letters Patent in Court to be produced will fully appear. And the Plaintiff further says ^{annexed} that from the time of granting to him of said Letters Patent hitherto he has made and used & vendd to others to be used the said improvement to his great advantage and profit. Yet the said Defendants well knowing the premises. but continuing to injure the Plaintiff did on the first day of January 1839 and at divers times before and afterwards during said term of fourteen years mentioned in said Letters Patent and before the purchase of the Plaintiff's writ at said New York unlawfully and wrongfully and without the consent and allowance of the Plaintiff and against his will did make or caused to be made and did use said improvement in violation and infringement of the exclusive right so secured to the Plaintiff by said Letters Patent as aforesaid and contrary to the form of the Statute of the United States in such case made and provided; whereby the Plaintiff has been greatly injured and deprived of great profits and advantages, which he might and would otherwise have derived from said improvement.

2 And also for that the Plaintiff was the only

inval and first inventor of a certain new & useful
improvement of a machine, to wit. an improve-
ment on the Power Loom. which can also be applied
to other looms & which was not at the time of his
application for Letters Patent as aforesaid in public
use or on sale with his consent or allowance & on
the day and year aforesaid obtained Letters Patent
therefor. which were signed by the President of the
United States & certified & issued in due form of Law
- whereby there was secured to him his heirs admin-
istrators or assigns for the term of fourteen years
from and after the date of of the Patent. the
full and exclusive right and liberty of making
constructing using and vending to others to be used
the said improvement as by said Letters Patent in
Law to be produced will fully appear. And the
Plaintiff says that from the time of granting to
him said Letters Patent hitherto he has used made
and vended to others to be used the said improve-
ment. whereby the exclusive right secured to him
has been and now is of great value to him to wit
of the value of One Hundred thousand Dollars
yet the said Defendant well knowing the premises
but contriving and wrongfully intending to injure
the Plaintiff and to deprive him of the profits ben-
efit and advantages which he might and would
have otherwise have derived and acquired from
the making and using and vending said invention,
after the making of said Letters Patent and within
said Term of fourteen years in said Letters Patent
mentioned and before the purchase of the effs
writ to wit on the first day of January 1839.

and at divers other times before and since at
said ~~location~~ Newwicks in certain Mills by them
run unlawfully and without the consent and
allowance and against the will of the Plain-
tiff did use the said improvement on a great
Number of Tane Looms to wit Five Hundred
in violation and infringement of the exclusive
right so secured by the Plaintiff by said
Letters Patent as aforesaid and contrary to
the form of the Statute of the United States
in such case made and provided. Whereby the
Plaintiff has been greatly injured and deprived
of great profits and advantages which he might
and would otherwise have derived from
said invention

9 And the said Plaintiff further says that
he being such inventor and said Letters Patent
having been so made as aforesaid and the said
invention or improvement having been so made
used and vendd by him. yet the Defendants
well knowing the premises but further con-
triving and intending as aforesaid after the
making of said Letters Patent and within said
term of fourteen years to wit at said Newwicks
in a certain Cotton Mills by them run on the
first day of January 1839 and on divers other
days and times between that day & the day
of the issuing of the Plaintiffs writ unlawfully
& unjustly and without the leave or license &
against the will of the Plaintiff having previously
by made or cause to be made did use ~~to wit~~
divers to wit Five Hundred Tane Looms with
the improvement of the Sley's thereon and

in imitation and counterfeit of said
Plaintiff's invention - being a change of form only
thereof - in breach of said Letters Patent
whereby the Plaintiff has been greatly in-
jured and deprived of great profits - which
he would have otherwise have acquired
By reason of all of which the Plaintiff has
sustained the actual damage of Five thousand
Dollars and by the force of the Statute
aforesaid an action has accrued to him
to recover the said damage and such
additional amounts not exceeding in the
whole three times the amount of such
actual damage as the Court may
see fit to order to order and adjudge
yet the Defendant although requested has never
paid the same or any part thereof to the
Plaintiff - but hath refused and yet refuses
so to do.

To the damage of the Plaintiff as laid
in his writ dated the 18th day of October
A 1839. Five thousand Dollars

Whereupon he sues by his Attorney

Eaton & Primmy

Dec^r 21

Shuasa Hane

3

Mrs & Shuasa Hane

Carton & Hane

Atto for 23

Filed Nov 1st 1839

Amended Nov. 9. 1839 by

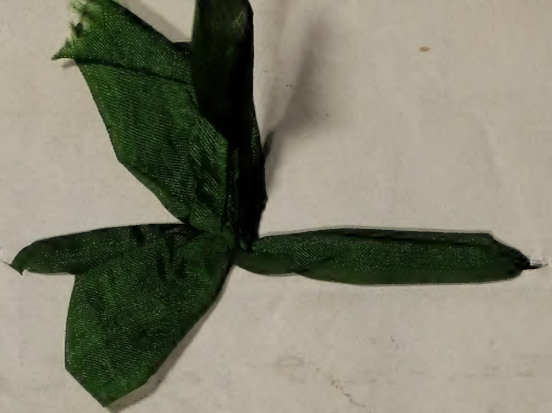
A. W. Greene & J. Pratt

Ex p Nov 15. 1841

Entered in Grant Court Records

(from term 1839) Book 13 page

288.



And the 2^d of the same date when it was
deposited the wrong & injury when it was
they are not guilty in manner and form
as the 1st of the same date when it was
-Hence against them. One of them is they
put themselves on the country by their
A. W. Greene & J. Pratt
No. 3. Motion of a special master is
thereafter to be given by agreement of parties.

CIRCUIT COURT, *June* Term, 18 *40*

In the case *Amasa Stone*
versus *Wm & A Sprague*

I certify that I have attended as a witness in said case *four* — days
and travelled *ninety five* miles. Summoned on the part of the *Defts*

4 days attendance,
95 miles travel.

<i>5</i>	
<i>9</i>	<i>50</i>
<i>14. 50</i>	

George Bronnill

George Brownell

13

CIRCUIT COURT, *Jun -*Term, 18 *40*

In the case

Amasa Stone

versus

Wm & A Sprague -

I certify that I have attended as a witness in said case

four — days

and travelled

*Eighty*miles. Summoned on the part of the *Defts**4* days attendance,*80* miles travel.

<i>5</i>	
<i>8</i>	<i>00</i>
<hr/>	
<i>13</i>	<i>00</i>

Josiah Beards

Paul David

CIRCUIT COURT, *June* Term, 18 *40*

In the case *Amasa Stone*

versus *Wm. & A. Sprague*

I certify that I have attended as a witness in said case *four* days
and travelled *thirty four* miles. Summoned on the part of the *Def^t*

4 days attendance,

34 miles travel.

5	
3	40
<hr/>	
8	40

Harrison G. Williams

Thomson Wilsons

10

10

10

10

10

10

10

CIRCUIT COURT,

Term, 18 40

In the case

Amos Storn

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

seven

days

and travelled

*nine*miles. Summoned on the part of the *Def'ts*

4 days attendance,

9 miles travel.

5	90
<hr/>	
5	90

John Storn

Fahr-Stunden

18⁴⁰

CIRCUIT COURT,

June Term, 18 *40*

In the case *Amasa Stone*

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

two — days

and travelled

miles. Summoned on the part of the *Deft*

2 days attendance,

0 miles travel.

<i>2</i>	<i>50</i>
----------	-----------

2-50

William Sumner

Wm Pennington

19

CIRCUIT COURT,

June Term, 18 40

In the case Amasa Stone

versus Wm & A Sprague

I certify that I have attended as a witness in said case two days

and travelled miles. Summoned on the part of the Defts

2 days attendance,

miles travel.

2	50
---	----

 2 50

Samuel Westcott

Samuel Westcott

20

CIRCUIT COURT,

June

Term, 18 40

In the case

Amasa Stone

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

four

days

and travelled

twenty two

miles.

Summoned on the part of the *Def^t*

4 days attendance,

22 miles travel.

5	
2	20
<hr/>	
7-20	

Charles Anthony

Charles Anthony

92

CIRCUIT COURT, *June*

Term, 18 *40*

In the case

Amasa Stone

versus

Wm & A Sprague

I certify that I have attended as a witness in said case *four* days
and travelled *one hundred twenty* miles. Summoned on the part of the *Defts*

4 days attendance,
170 miles travel.

<i>5</i>	
<i>17</i>	<i>00</i>
<hr/>	
<i>22</i>	<i>00</i>

John Chase -

John Grace

23

CIRCUIT COURT,

June

Term, 18 40

In the case *Amasa Stone*

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

four

days

and travelled *one hundred seventy* miles. Summoned on the part of the *Defts*

4 days attendance,

130 miles travel.

5	
13	00
<hr/>	
22	00

Samuel Flinn

Samuel H. H. H.

24.

CIRCUIT COURT,

June

Term, 18 *40*

In the case

Amasa Stone

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

four

days

and travelled *one hundred thirty nine* miles. Summoned on the part of the *Def^t*

4 days attendance,

139 miles travel.

5	
13	90
<hr/>	
18	90

John Burns

John Barns

CIRCUIT COURT,

June

Term, 18 *40*

In the case

Amasa Stone

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

four

days

and travelled *one hundred sixty seven* miles. Summoned on the part of the *Deft*

4 days attendance,

167 miles travel.

<i>5</i>	
<i>16</i>	<i>70</i>
<hr/>	
<i>21</i>	<i>70</i>

Jon^d C. Fiske

Jonathan Trisk

Jonathan Trisk

CIRCUIT COURT,

Term, 18 40

In the case

Amasa Stone

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

four

days

and travelled

ninety

miles. Summoned on the part of the *Def^t*

4 days attendance,

90 miles travel.

5
9
<hr/> 14

William B. Sprague

William Fenge

26
CIRCUIT COURT,

Term, 18

40

In the case

Amasa Stone

versus

Wm & a Sprague

I certify that I have attended as a witness in said case

four

days

and travelled

ninety eight

miles.

Summoned on the part of the

Deft

4 days attendance,

98 miles travel.

5	
9	30
<hr/>	
148	0

Edward Brown

Edward Brown

This May Certify that 400 miles is in
my opinion the shortest distance of Publick
Conveyance that I could travel to summon
the witnesses by me summoned in the Case of
Amasa Stone vs. Wm. & Amasa Sprague tried
at the June term of the Circuit Court W. F.
N. 1840.

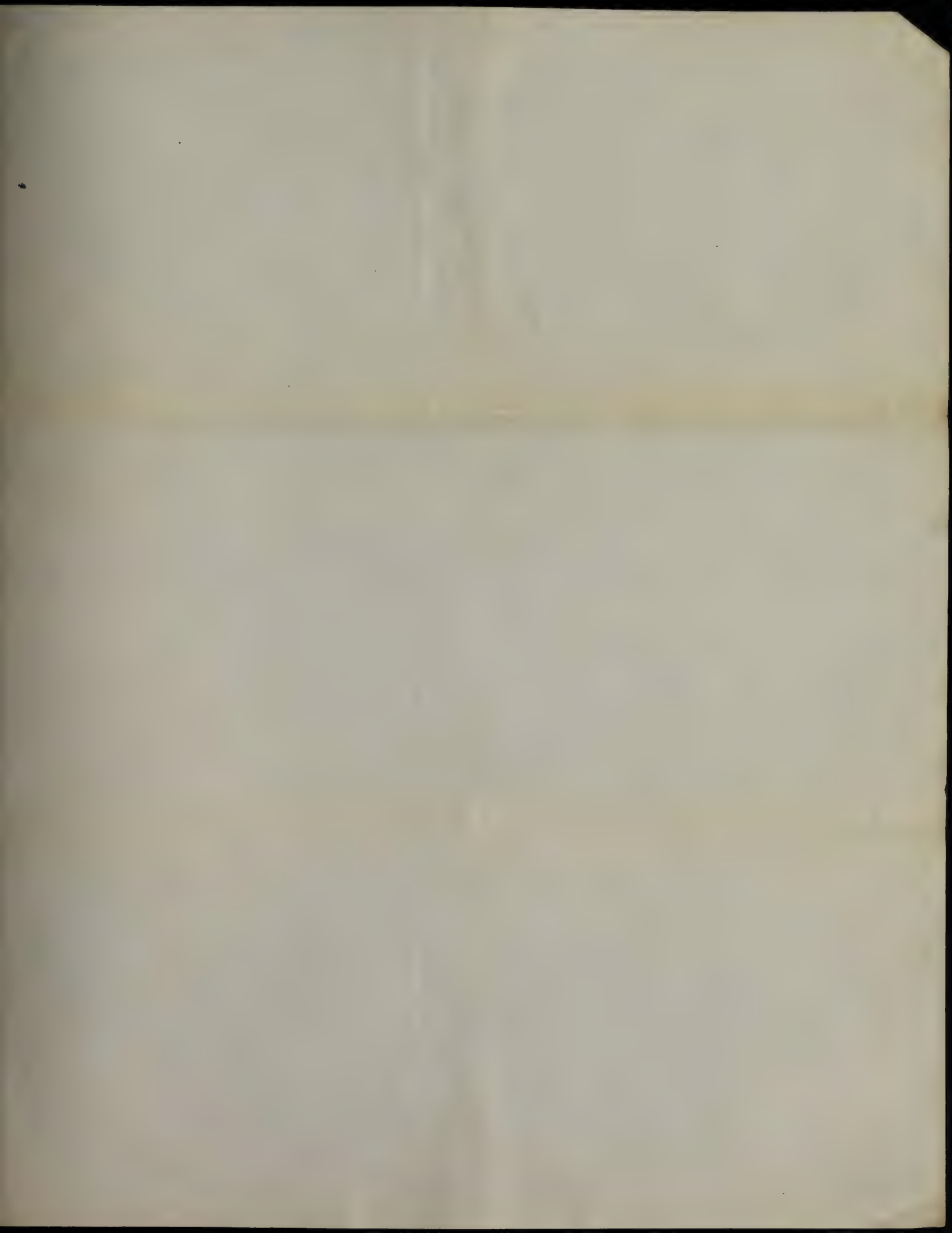
And I further make Affidavit and say
that I traveled to Parrotucket 34 miles from
Newport and summoned Harrison Williams and
from Parrotucket to Waltham 54 miles & sum-
moned Isiah Beard and from Waltham to Lowell
25 miles & summoned George Brownell and from
Lowell to Andover 20 miles & summoned William
G. M. and from Andover, Mass. to Dover, N. H. 45 miles
& summoned John Burns and from Dover, to Spring-
field 137 miles & summoned John Chace & Samuel
Helm and from Springfield to Richmond 100 miles
& summoned Charles Anthony and from Richmond
to South Kingstown 12 miles & summoned John A. Coombs
And I also make Affidavit that I summoned Jo-
sephathan Fiske of Kennebunk, Maine, which is 30 miles
from Dover, also Edward Brown 3 miles from
Lowell also ~~Charles Anthony~~ & William Pinnegar of and
Samuel Westcott of Newport

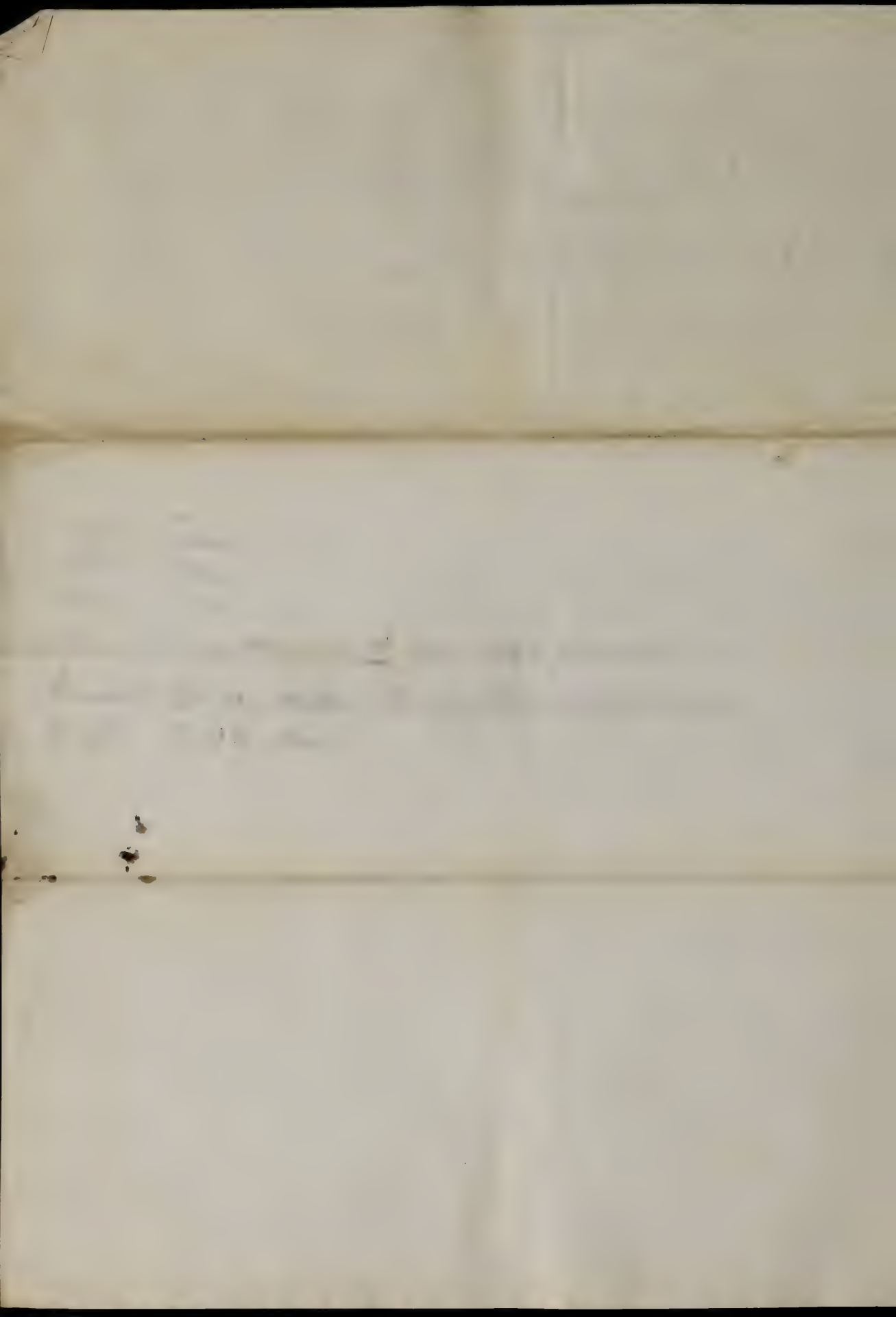
Sworn to before me this 12th day of November A. D. 1841

James M. Clarke
Justice of the Peace.

Providence for on the 12th day of November A.D. 1841. personally
appeared Geo W. Potter and made oath that the facts and
statements contained in the foregoing Certificate are true.

Before me James M. Clarke
Justice of the Peace.





To O W Potter Esq of Cranston

Greeting.

I Benjamin Anthony Marshall of the United States for the District of Rhode Island do by this Remit appoint you a special Deputy Marshal & empower you to make service of this Remit giving you ^{as} full power as I myself might lawfully have. Given under my hand this 11th day of June A.D. 1840

B Anthony

U.S. Marshal

Made service of the within precept by reaching the within in the presence and hearing of all the within named witnesses and have paid each of them the sum of money opposite to their names respectively it being for one days attendance and their traveling fees

George Brownell	10-45	—
John Chace	18-25	—
Samuel Flinn	18-25	—
John Burns	15-15	—
William Tye	10 25	—
Charles Anthony	3-25	—
Samuel Westcott	15-25	—
William Pinnegar	1-25	—
Josiah Beard	9-25	—
Harrison Williams	4-65	—
Edward Brown	11-05	—
Jonathan Fisk	17-95	—
Total 576 m	57 60	
8 m	50 5	— 41.00

O W Potter Dept Marshall

I made some of the other named witnesses not charged by. O W Potter

6 m	3.00
60 m	6.00
	<u>9.00</u>

B Anthony

TO

George Burdett.

John Chace

Samuel. Allen

John (Jenn)

McClure (Jug)

Elizabet

Dr. Josiah Acord

Greeting.

Handwritten: *Handwritten text, possibly a signature or name, written vertically.*

... named in the name of the

President of the

United States, to make your appearance before the *Minister* *State*

to be holden at Newpark
Dunrobin Court,

within and for Rhode-Island District, on the
first *Decr* *1844*

day of *June 17th* to give evidence of what you

know relating to an *action of the cat* then and there

to be heard and tried, *between Amara Stein. Off and*

Priscilla Tanager - Yellow-bellied

Hereof fail not as you will answer your default under the penalty of the law, in that behalf made and provided.

Dated *From Since* the *element*

day of June A. D. 1840

A. D. 1840

John D. Stewart
Clerk

Clerk.

United States of America D I
Boston June 13th 1840

Made sworn of the receipt by
reading the within in by being
a true and abridged copy made
at the left and under place
of the books and her price
out of them the sums of
money opposite to their names
as hereunto except John H
Clarke who refused to
accept the money therefore
and John T. Melcher who
was not by me to be sworn

B. Anthony
Minster

James F. Simmons	475	
George Wetmore	485	
Charles H. Franklin	455	
Asenath Brown	455	
Robert W. Potter	5.45	
David Whitman	5.45	
Marilla Holden	5.85	
Smith Kelly	4.85	
Benjamin Peck	4.85	
George B. Holmes	4.25	
Cyrus Babcock	4.25	
Job Manchester	4.75	
Charles Jackson	4.25	
John H. Clarke	4.25	refused but he refused to accept
William B. Butterworth	5.45	
Nicholas G. Potter	5.45	
Leicester Peters	4.65	
James P. Brown	4.65	
John T. Melcher		not to be sworn
Arthur	5.25	
Poleman Melcott	4.85	

\$97.20 \$97.20

21 series \$10.50 21 copies 10.50 21.00
Travel 150 miles 15.
\$133.20

B. Anthony 26 Minster

Depts. Simmons

Wm. Stone

Wm. Stone

RHODE-ISLAND
DISTRICT, sc.

James P. Simmons, George Waterman, Charles H. Franklin, Nathaniel
Brown, Reuben W. Potter, David Whittier, Amos Holden, Smith
Kelley, Benjamin Peck, George B. Holmes, Cyndy Babcock, Job Manchester,
To Charles Jackson, John H. Clarke, William R. Brewster, Nicholas
Potter, Samuel Pitster, James S. Brown, John T. Walker, Aaron
Morse, Thomas J. Hill

Greeting.

YOU are hereby required, in the name of the President of the
United States, to make your appearance before the United States
Circuit Court, to be holden at Newport
within and for Rhode-Island District, on the fifteenth
day of June next to give evidence of what you
know relating to an action of the case then and there
to be heard and tried, in which Amasa Stone is Plaintiff and

William O. Amasa Sprague are Defendants

Hereof fail not, as you will answer your default under the penalty
of the law, in that behalf made and provided.

Dated at Providence the thirtieth
day of June A. D. 1840,

John T. Pitman

Clerk.

CIRCUIT COURT, *June* Term, 18 *40*

In the case *Amasa Stone*

versus

Wm & A Sprague

I certify that I have attended as a witness in said case *four* days

and travelled *forty two* miles. Summoned on the part of the *defn*

4 days attendance,

42 miles travel.

<i>5</i>
<i>4 20</i>
<i>9 20</i>

Nicholas G. Patten

Cochodas by Potter

4

CIRCUIT COURT,

June

Term, 18*40*

In the case *Amasa Stone*

versus

Wm & A Sprague

I certify that I have attended as a witness in said case
and travelled

forty two

miles.

four

days

Summoned on the part of the *Defn*

4 days attendance,

42 miles travel.

5	
4	20
<hr/>	
9	20

Wm R Buttrick

William H. Butterworth

CIRCUIT COURT,

June

Term, 18 *40*

In the case *Amasa Stone*

versus *Wm & A Sprague*

I certify that I have attended as a witness in said case *four* days

and travelled *thirty three* miles. Summoned on the part of the *Defn*

4 days attendance,

33 miles travel.

<i>5</i>	
<i>3</i>	<i>30</i>
<hr/>	
<i>8</i>	<i>30</i>

Charles H Frothingham

Charles H. Franklin

6
CIRCUIT COURT,

June Term, 18 *40*

In the case *Amasa Stone*

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

four — days

and travelled

thirty three miles. Summoned on the part of the *Dist-*

Nathaniel Bowen

4 days attendance,

33 miles travel.

5	
3	30
<hr/>	
8	30

Chas. Daniel Bowen

CIRCUIT COURT,

June

Term, 18 *40*

In the case

Amasa Stone

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

four

days

and travelled

thirty five

miles.

Summoned on the part of the *Def^t*

4 days attendance,

35 miles travel.

<i>5</i>
<i>3 50</i>
<i>8 50</i>

E. Waterman

George Waterman

9
CIRCUIT COURT,

June Term, 18 40

In the case

Amasa Stone

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

four

days

and travelled

thirty four

miles. Summoned on the part of the Def^t

Jonathan S. Killey

4 days attendance,

34 miles travel.

5	
3	40
<hr/>	
8	40

Sanatton. S. M. Kelly

3

CIRCUIT COURT, *June*Term, 18 *40*In the case *Amasa Stone*versus *Wm & A Sprague*I certify that I have attended as a witness in said case *four* daysand travelled *forty six* — miles. Summoned on the part of the *Def't**4* days attendance,*46* miles travel.

<i>5</i>	
<i>4</i>	<i>60</i>
<hr/>	
<i>9</i>	<i>60</i>

Hamilton Holden

Harilah Holden

CIRCUIT COURT,

Term, 18 40

In the case

Amasa Storm

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

and travelled

Twenty Six

miles. Summoned on the part of the *Def^t*

4 days attendance,

36 miles travel.

5	
3	60
<hr/>	
8.60	

Palm Walnut

Palmer Walcott

CIRCUIT COURT,

Jan

Term, 18

411

11,
In the case

versus

I certify that I have attended as a witness in said case

four

days

and travelled

thirty

miles.

Summoned on the part of the

Def't

4

days attendance,

3

miles travel.

5	-
3	
<hr/>	
8	<i>2</i>

Geo. T. Holmes

Geo. H. Holmes.

CIRCUIT COURT,

June

Term, 18 40

12
In the case

Amasa Stone

versus

Wm & Amasa Sprague

I certify that I have attended as a witness in said case

Four

days

and travelled

thirty

miles.

Summoned on the part of the

Def^t

4 days attendance,

30 miles travel.

5	-
3	-
<hr/>	
8	"

\$

Cyril Babcock

Cyril, Babcock

14

CIRCUIT COURT,

June

Term, 18 40

In the case

Amasa Stone

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

four

days

and travelled

thirty

miles.

Summoned on the part of the

Def^t

4 days attendance,

30 miles travel.

5	
3	00
<hr/>	
8.00	

John H Clark)

John W. Clark

15

CIRCUIT COURT,

June

Term, 18 40

In the case Amasa Stone

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

four

days

and travelled

thirty five


miles.

Summoned on the part of the Deft

4 days attendance,

35 miles travel.

5	
3	50
<hr/>	
8	50

 W B Manchester


Gold, Manchester

21

CIRCUIT COURT,

June

Term, 18 40

In the case *Amasa Stone*versus *Wm & A Sprague*

I certify that I have attended as a witness in said case *four* days
 and travelled *forty* miles. Summoned on the part of the *Deft*

4 days attendance,

40 miles travel.

5	
4	00
<hr/>	
9	00

David Whitman

Davill Whitman

CIRCUIT COURT,

June

Term, 18 *40*.

In the case *Amasa Stow*

versus *Wm & A Sprague*

I certify that I have attended as a witness in said case *four* days
and travelled *thirty* miles. Summoned on the part of the *Defts*

4 days attendance,
30 miles travel.

5	
3	
<hr/>	
8.00	

Chas L. Brown

Charles Jackson

m

CIRCUIT COURT,

Term, 18

40

In the case

Amesa Stone

versus

M. & A. Sprague

I certify that I have attended as a witness in said case

four

days

and travelled

40

miles. Summoned on the part of the

*scit**4* days attendance,*40*

miles travel.

5	
4	

*9 00**for Arlon Man**B. Anthony**belonging to the man**\$3.75*

Carlson & Harri

29

CIRCUIT COURT,

Term, 18

In the case *Amasa Stam*versus *Wm & A Sprague*

I certify that I have attended as a witness in said case

ten

days

and travelled

*thirty eight*miles. Summoned on the part of the *Defts**4* days attendance,*38* miles travel.

5		
3	80	
<hr/>		
8	80	

B. Benj. Peck

Benjamin Peck

13

CIRCUIT COURT,

June

Term, 18 40

In the case

Amiah Stone

versus

Wm & A Sprague

I certify that I have attended as a witness in said case

four

days

and travelled

forty two

miles. Summoned on the part of the Defts

4 days attendance,

42 miles travel.

5	
4	20
<hr/>	
9	20

Robert W. Potter

Robert W. Patterson

2

CIRCUIT COURT,

June

Term, 18 40

In the case

Amasa Stone

versus

Wm & A Spague

I certify that I have attended as a witness in said case

four

days

and travelled

thirty four

miles. Summoned on the part of the Defts

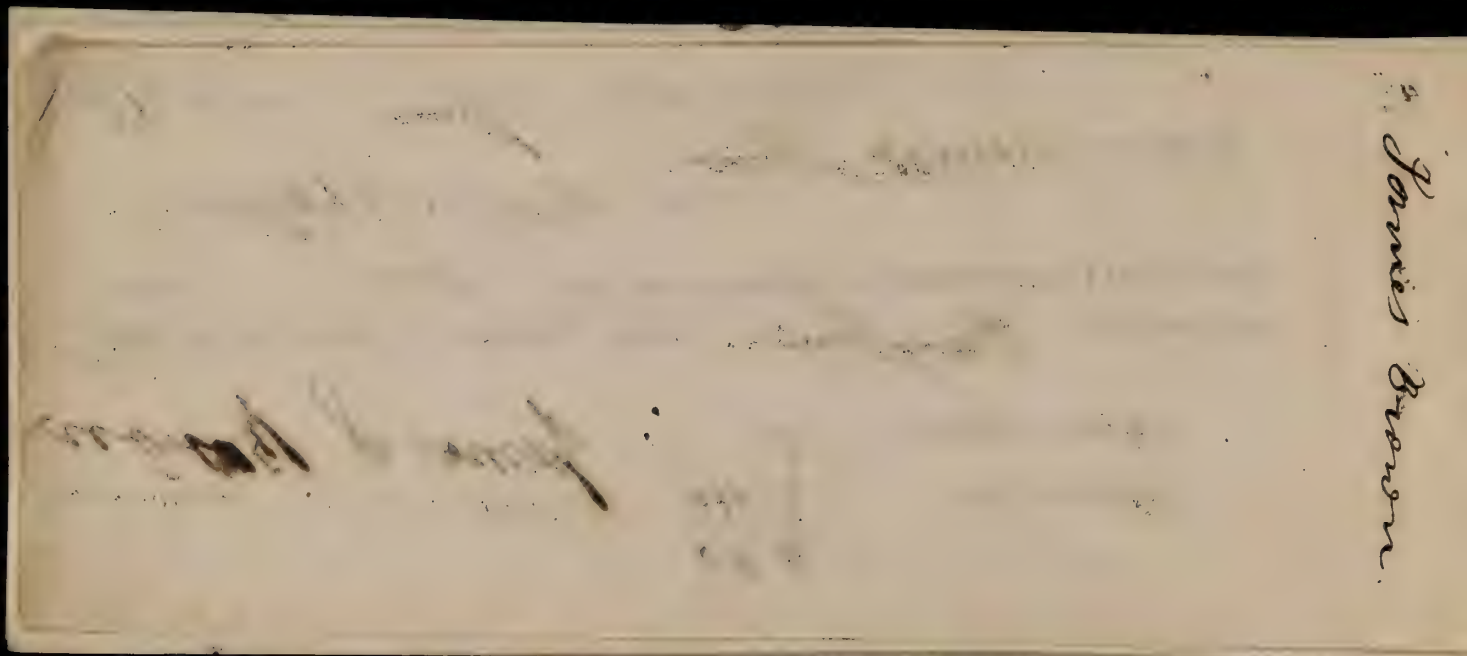
4 days attendance,

34 miles travel.

5	4	
3	40	
<hr/>		
8	40	

James S. Benson

James Brown



Joseph Hall.
Cashier of a
Bank in
Boston.

Amherst, N.Y. 1st of November

Boston Jan. 1840

made twice of this summer,
y^e delivery of some of the
white in the city of
New York him \$8.25

paid \$8.25

Jan. 1840

Nov. 1840

\$16.25

RHODE-ISLAND
DISTRICT, sc.

To *Joseph Halladay & Boston*
in the State of Massachusetts

Creting.

YOU are hereby required, in the name of the President of the
United States, to make your appearance before the *Circuit*

Court, *to be* holden at *Newport*

within and for Rhode-Island District, on the *15th*

day of *June 1840* to give evidence of what you

know relating to an *action of the case* then and there

to be heard and tried, *Anasa Stone Plaintiff*
and William Sprague & Anasa Sprague
Defendants

Att. Hereof fail not, as you will answer your default under the penalty
of the law, in that behalf made and provided.

Dated *Newport* the *10*

day of *June*

A. D. 1840
John F. Pitman Clerk.

RHODE-ISLAND
DISTRICT, SC.

To

William Logan of

Wm Logan, Lower in the Commonwealth
Magistrate

Greeting.

YOU are hereby required, in the name of the President of the
United States, to make your appearance before the

Circuit

Court, to be holden at Newport

within and for Rhode-Island District, on the 16th

day of June 1840 to give evidence of what you

know relating to an action in the case then and there

to be heard and tried, between Amasa Stone

Plaintiff and William & Amasa Thayer
Defendants

Hereof fail not as you will answer your default under the penalty
of the law, in that behalf made and provided.

Dated Newport the 9

day of June A. D. 1840.

John T. Pitman Clerk.

Commonwealth of Massachusetts

Middlesex June 11th 1840. I there at
thirty minutes past eight of the clock
in the fore noon read this Sub-
poena to the within named wil-
liam Lagan in his presence and
hearing and at the same time
gave him eleven dollars in hand
as his fees which he accepted

Fees Service 10
60 Miles Travel 2.10
* the State line 2.00
Jefferson Bancroft
Deputy Sheriff

Middlesex St. June 11. 1840. Personally
appeared Jefferson Bancroft and made
oath that the foregoing return by him
subscribed is true before me

Thos Spinkinson
Ju, Peace

RHODE-ISLAND
DISTRICT, SC.

To Sila, H. Kimbal & Benjamin
Quincy, Murderer in the State of Mass
at the County of Suffolk & Joseph E. Dolly of Amherst
in the U. S. District
Greeting.

YOU are hereby required, in the name of the President of the
United States, to make your appearance before the *Circuit*
Court, *to be* holden at *Newport*
within and for Rhode-Island District, on the *11th*

day of *June* next to give evidence of what you
know relating to an *action on the case* then and there
to be heard and tried, *Amos Stone Plaintiff*
and William Sprague & Amos Stone
Sprague Defendant

Hereof fail not as you will answer your default under the penalty
of the law, in that behalf made and provided.

Dated *Newport* the *10*
day of *June*. A. D. 18 *40*
John F. Pitman Clerk.

Master's List of Amuse R. 2
Guthrie's L. Jan 13th 1840

Made sum of this present
delivered in hand of each of the
within named witnesses and
have been there the amount
of money opposite to their names
respectively -

per Price - B. Anthony

Benjamin Lee 6.25 - Master

Lily H. Thimble 6.25 -

~~James D. Dohy~~

James E. Dohy 4.75 -

sum - 1.50

Chris - 1.50

Total 50 m 5.00

\$ 25.25

RHODE-ISLAND
DISTRICT, sc.

To

Spague Barker & Cullen Whipple
of Providence.

~~*Joseph Hall & Boston*~~

~~*in the Commonwealth of Massachusetts*~~
~~*County*~~

Greeting.

YOU are hereby required, in the name of the President of the
United States, to make your appearance before the Circuit

Court, *to be* holden at *Newport*
within and for Rhode-Island District, on the *15th*

day of *June next* to give evidence of what you
know relating to an *action on the case* then and there
to be heard and tried, *Amasa Lane Plaintiff*

and William Spague & Amasa Spague
Defendants

Hereof fail not, as you will answer your default under the penalty
of the law, in that behalf made and provided.

Dated *Newport* the *10*
day of *June*

A. D. 1840.

John T. Pitman Clerk.

United States of America Q. J.
District of Columbia Jun 13th 1840

Made receipt of this sum by delivery
in hand of each of the within named
persons & have paid each the sum
of money opposite to their names
respectively -

paid to Whipple 425-
" S. Barber 425-

Wm	—	1000
Attn	—	100
30m	—	3000
		<hr/>
		\$13,50

B. Anthony
master

United States of America, N. Ireland

Districte de Jun. 10th 12th + 13.

made sum of this receipt by delivering
in hand of each of the within named
persons or by being a true and correct
copy hereof at the last and usual
place of their abode I and here
paid each the amount of money
afforded to their names respectively.

Peter C Remington	\$4.55
John Peterman	4.55
William Herr -	4.55
Daniel Green	4.65
Olney Whipple -	4.65
Alonzo A. Peley -	4.85
Robert Whipple -	4.85
George Davis -	5.45
Henry J. Tolton -	5.45
Philip Allen	4.25
Lachman Allen	4.25
William Allen -	4.25
Benjamin Pick.	5.05
John Fenner -	4.85
Benjamin Gu	6.25
Seles W. Hamman	6.25
James E. Dohy	4.75
Henry B. B. B.	93.55
	\$93.55

19. hours	—	at 10.00	9.50
19. hours	—	at 10.	9.50
There 100 miles	—		<u>10.00</u>

B Anthony
r S Mather

2910
~~812255~~

RHODE-ISLAND
DISTRICT, SC.

To

O'leg C Remington of Johnston
John Waterman of Johnston
William Kerr & Samuel Green & Oliver Whipple of
North Providence Alanzo A. Tuley & Robert Whipple of
Smithfield George Davis and Henry & Talbot of
Philip Allen & Adair Allen Thos I. Hill Creeting.
William Aplin - of Providence
& Samuel Green
of Smithfield
& Benjamin Peck
of Peckham &
John Ferris of
Smithfield.

YOU are hereby required, in the name of the President of the
United States, to make your appearance before the Circuit
Court, to be holden at Newport.

within and for Rhode-Island District, on the 15th
day of June 1840 to give evidence of what you

know relating to an action & the case then and there

to be heard and tried, Maria Stone Plaintiff
and William Sprague & Anasa Sprague
are by 13

Hereof fail not, as you will answer your default under the penalty
of the law, in that behalf made and provided.

Dated Newport the 10
day of June

A. D. 1840

John T. Pitman Clerk.

RHODE-ISLAND
DISTRICT, sc.

To

*William S. Proctor
of Smithfield - Joseph
James M. Nathan of North Providence
Shaw of Providence*
Greeting.

YOU are hereby required, in the name of the President of the
United States, to make your appearance before the *Circuit*
Court, *to be* holden at *Newport*
within and for Rhode-Island District, on the *fifteenth*
day of *June* to give evidence of what you
know relating to an *action* then and there
to be heard and tried, *between Annora Stone*
Plaintiff and Mrs. Annora
Spencer Defendants.

W. S. Proctor
~~*At*~~
Hereof fail not, as you will answer your default under the penalty
of the law, in that behalf made and provided.

Dated *Providence* the *13th*
day of *March* A.D. 1840
John T. Pitman Clerk.

United States of America

22 District

Providence June 13th 1840

Meen herein of this receipt
by delivering undring the same
to the within named William
Stearns Joseph Wether James M
Shaw & have paid each the
sums of money opposite to
their name respectively

Paid Wm Stearns 4.25

" Joseph Wether 4.25

James M Shaw 4.25

Thos Mous
Deputy Marshal

Given

Total 16 mths 3.00

\$13.55

RHODE-ISLAND
DISTRICT, SC.

To

*Respected Sirs, of Norwich
Allen Briggs of Norwich*

Greeting.

YOU are hereby required, in the name of the President of the
United States, to make your appearance before the *Circuit*
Court, holden at *Newport*
within and for Rhode-Island District, on the *15*

day of *June* to give evidence of what you
know relating to an *action of the law* then and there
to be heard and tried, *Between Amasa & Paul*
Plaintiffs and William & Amasa
Stedman defendants

Hereof fail not as you will answer your default under the penalty
of the law, in that behalf made and provided.

Dated *9th day* the *1st* of *June* 1840.
day of *Newport* A. D. 1840.

John T. Pitman Clerk.

*\$30.00 each for
travel &*

*\$12.50 for one day
attendance*

\$42.50

2

\$85.00

West Va June 10th 1840

I have this day Summoned the within named
Frederick & Allen Briggs by Reading the
within Summons in their presence & hear-
ing & paying each of them four dollars
& twenty five Cents and Received fifty Cents

\$4.25 ~~Frederick & Allen Briggs~~

4.25

\$8.50

5.0

\$9.00 Paid

P. H. Cagerhall & Sheriff

Dees Goal \$1.60

2.24

\$1.84

Rhode Island District Court

Circuit Court of the
United States

in the action

Amasa Stone

vs
West India Sugar

To the Hon. John Pitman
Judge of the United States District Court for the
District of Rhode Island

The said Amasa Stone respectfully
represents that at the last term Term
of said Circuit Court judgment was rendered
against him in favor of the Defendants
in said case upon the verdict of the
jury thereon — That the said Plaintiff excepted
to certain points of law ruled by the Court
and also excepted to the charge of the said
Court to the jury as fully appears in the
Bill of exceptions filed in said case
Wherefore he prays that a writ of Error
may be allowed in said case returnable
to the next term of the Supreme Court of
the United States which commences on the
2nd Monday of January A.D. 1841

By his Attorneys

Estlin & Simmons

Y^e Respondents Service of the above shall
be cause to them ~~cause~~ against the allowance of the

unit of error upon ~~inter~~ facting bond being
given to the ~~inter~~ facting of the District Judge

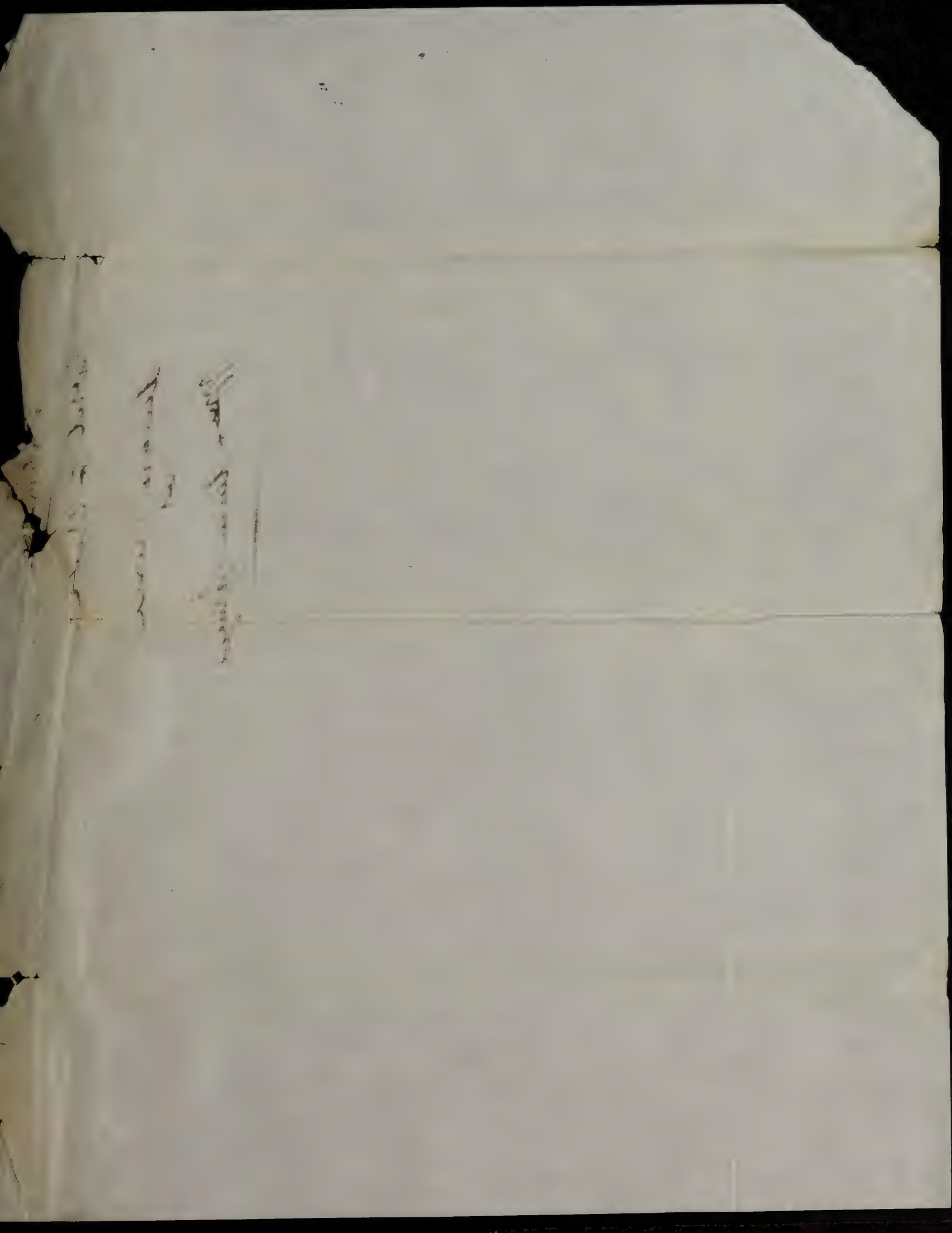
Wm Greene & P. Pratt
Attys to Wm. H. Thompson

At Chambers July 6 1840

Writ of Error
The ~~affidavit~~ prayer for in the above case

is hereby allowed on the condition that a bond be given in the
said case in the sum of five hundred dollars for the prosecution
of the said writ of Error with surety satisfactory to the said
District Judge and that the same be done on or before the
first Monday in August next

John Pitman
District Judge U.S.
for R. I. Dist.



William Lee

Count of Essex

Lucas & Co

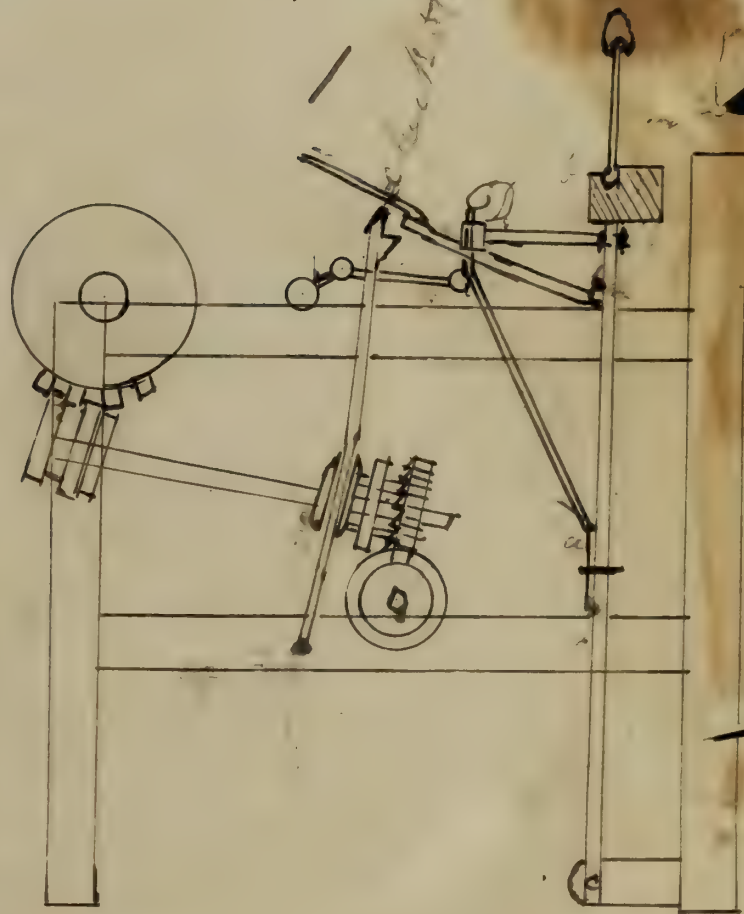
Wm & Lucas Rogers

2

A technical drawing of a mechanical device, labeled '2' at the top. The drawing shows a complex assembly of levers, pivots, and a circular component on the left. A vertical rod with a handle is on the right. The drawing is on aged paper with some stains and a red wax seal at the top left.

= back piece of Sec. which
presses against the end

John Burns



6-5 : Late

... the ...
... in answer to
interrogatories as follows

... in ... Defendant

Q. 1. What has been your experience in weaving?
A. I have had charge of looms for

about 18 years

Q. 2. How long have you been a weaver?
A. Somewhat over 20 years

Q. 3. How long have you had charge

A. over 18 years

Q. 4. During this time did you ever
use looms with a connexion between
the beam and reeds?

A. I have

Q. 5. Was the connexion between
from the reed to the beam?

A. It was.

Q. 6. Was it the pressure of the reed
against the yarn that produced
the effect of the yarn being
drawn in?

Q. 7. How long have you spent in
looms having this connexion?

A. All the time that I ever work
on had it, some one way and some
another

Q. 8. Did you ever have a
connexion in
the

My Lane 9 How many different ways have
you known of
Three.

My Lane 10 In all these ways is there a
concession of the seed with the
young corn and the corn was
vicariously sent from one to
the other?

Yes.
There is not any further
than the warp, there is not
in growing but only the presence
of the seed against the cloth.

My Lane 11 Is there a communication between
the young corn & the seed of the
loom whose growing is not used
but in a different way from the
one I mean?

Yes.
There is when the warp is in.

My Lane 12 Do you see that this communication
must be formed - some way
from the seed to the loom and
matter must be communicated
from the one to the other
on all four corners in order
to weave?

Yes.
Yes. It must be connected in
some shape or other.

My Lane 13 Are we acquainted with a connection
that is formed by growing?
Yes.

By Examine 14. Did you call a date was you
not required to with such a con-
viction?

Ans. as early as 1825

By Examine 15. Do you know of other ~~connections~~
Did this connection exist he was
of the flighter or spring vessel and was
the motion communicated from
the flighter or spring vessel to the
other vessel.

Ans. In this machine that I spoke of
1825 the whole latter acted as a
flighter.

Examine 16. Did the position of the wheel
given the movement of the
other beam?

Ans. I did

By Examine 17. Did you know of any other vessel
the whole vessel did not operate
as a flighter.

Ans. I did

By Examine 18. At what time did you first
know it?

Ans. I think in June 1825.

By Examine 19. Do you know that it was in
the year 1825?

Ans. Yes.

By Examine 20. Did you know this?

Ans. In the time from that I kept in the
house at that time.

By same 20. Did the seed regulate the
movement of the yawn beam or
did where the whole latter acted as
a flywheel?

Ans. It did only move perfectly

By same 21. Was the weight of the latter the only
possible reason why the yawn beam
was not moved so perfectly when
the whole latter operated as a flywheel
or it did afterwards?

Ans. That was the principal reason

By same 22. Did the weight of the beam make
beams act as well when the whole
latter operated as a flywheel as afterwards?

Ans. I rather think it would not

By same 23. Do you think there was much
difference?

Ans. There was some, not so much
as a flywheel though.

By same 24. Had you ever seen the flywheel
or spring used in operation
before June 1877?

Ans. I did not in person before.

By same 25. Had you seen it in other
looms?

Ans. I did.

By same 26. Was you the first or one of the
first that suggested the idea of
using it in the loom?
the power loom?

Ans. I believe I was

by some. 27 How early did you suggest
this idea?

Ans. I suggested the idea to Mr.
Cochran in 1824 - I think.

In the time of L. C. Eaton Oct. 1826.

1. By some. I forgot to say. 1813.

Ans. I have known of the lighter used

2. By some. Do you know of the lighter used
in the place?

Ans. I have seen it there.

3. By some. I did not see it with it there.

Ans. Did you hear a voice of the lighter
in the place?

Ans. I think I heard it. I don't
know.

By some. I think I heard it long ago.

Ans. I think I heard it in the
river Clyde near the bridge.

By some. Did you hear a voice of the
motion was communicated to the
boat from the lighter on
the river?

Ans. I don't know as I saw it. I
think I did not but I am not
certain.

7. B. James. Did they manufacture any of
just fabrics at those mills
from any other place?

Ans. I think I have heard that they
did that they manufactured
four-hung thread

8. J. Allen. How was the machinery in that
mill?

Ans. I don't know

9. B. James. Did you ever hear that they
manufactured

Ans. I think I have heard only that
they were doing so

10. B. James. Did that difference

Ans. I have state before all that I
knew about it

11. B. James. Was the only difference

Ans. I think that used to be all
the difference I know except the
double warp.

12. B. James. Is it a lighter or heavier

Ans. It is lighter, which in a heavy
loom is part of the latter, being
out and, two kinds of springs are
attached to each end - one is
to the upper part the sword
of the latter.

In the paper annexed to this dep-
osition marked 1 & 2 are represented

two power looms. In No. 1. the whole
lathe acts as a flyer. a-a represents
the spring attached to the lathe
b-b-b representing the lathe.

No. 2. a-a represents the spring
and b represents the back piece of
the lathe which presses against the
seed and together these constitute
the flyer in this loom.

13. By S. - What is a flyer seed?
I have just given a statement with
regard to that, a seed is one thing
and a flyer is another.

14. By S. - What is a seed put into a frame
with springs attached to it and
named
Ans. I should name it a seed in a
flyer.

15. By S. - Is not the spring in a frame a
flyer when put on a lathe?

Ans. It would be under the name of a
flyer. In fact even in the paper
charts are used marked No. 1 & 2.

16. By S. - Is a spring which is put on a
loom, moving constantly, a part of a
seed time to flight?

Ans. That is a question which I can
not answer. I consider it an im-
proper name. Do you mean have a spring
put on a loom, for the purpose of a
seed time to flight?

18 Q. Yes. Is the motion of the spring
caused by the weight of the mass?
A. No. It is due to the elasticity of the spring.

19 Q. Has the spring a weight of its
own? A. Yes. It has a weight of its
own. It is a weight of its own.
Q. Does the weight of the spring
affect the motion of the mass?
A. No. It does not affect the motion of the mass.

20 Q. Yes. I have said before that the
motion of the mass is due to the
weight of the mass. Is it not true
that the weight of the mass is the
cause of the motion of the mass?

A. Yes. It is true. The weight of the mass
is the cause of the motion of the mass.
Q. Is the weight of the mass the
cause of the motion of the mass?

A. Yes. It is true. The weight of the mass
is the cause of the motion of the mass.
Q. Is the weight of the mass the
cause of the motion of the mass?

A. Yes. It is true. The weight of the mass
is the cause of the motion of the mass.
Q. Is the weight of the mass the
cause of the motion of the mass?

A. Yes. It is true. The weight of the mass
is the cause of the motion of the mass.
Q. Is the weight of the mass the
cause of the motion of the mass?

3rd 22 By same. Does not the spring attached
in figure make a point
motion?
Yes. The spring of itself does,
but the spring & lathe together
does not.

23. By same. In figure No. 1 in the same
draft what do you consider the
flights?

Ans. The lathe
24. By same. When were the alterations made
on the frame & No. 4. at home?
Ans. The alterations were made in the
year 1827 and I think sometime
in the month of June.

25. By same. What did these alterations
consist?

Ans. They consisted in alterations as laid
down in figure No. 2. in the annexed
draft. The change was altering the lathe
frame, cutting a piece out of the back
side of it and attaching two springs
one to each end, fastening these
springs by a bolt and wood screw
through each end of the lathe, and
to ~~that~~ attaching the Check stick c-c.
This is all the alterations that I remember
as then made.

26. By same. Was there no alteration in the motion or
movement of the lathe?

Ans. None that I know of.

Q. By the same. Was there a positive
motion made by the other
vibration was made?
Ans. There was no vibration made in
the same direction as the other.
Q. By the same. By the vibration, the other was
backed up to each time an equal
distance.

28 By same. What gave the latter a positive
motion? You made this as a vibra-
tion up to the vibration?

Ans. Because the latter was directly at-
tached by way of the arm to the ^{crank} shaft,
whereas before it was attached to the
spring.

29 By same. How long after the first motion
was the second motion made? Before the
latter was attached to the crank or
made a positive vibrating motion?

Ans. It was done at the same time.

30 By same. By the vibration that was made
did not the fly wheel spring back
and come back by springing with
the same force?

Ans. It did.

31 By same. Where is it now? Does this?
Ans. Before I saw the first one that
brought it.

32 By same. To whom did you first sug-
gest it?

Ans. John White & Son.

33. By same. Did you ever hear that the
motion was communicated to
the gain reason by the flight
road in Glasgow for any other
place in Europe?

Ans. I did not.

34. By same. At the time you made these
improvements did you know of any
similar operations & in the United
States?

Ans. I did not.

35. By same. Had there been any previous
loss to your knowledge?

Ans. I did not ever hear of a loss
before 1827 of the flight or of any
road as in the case of the road
and draft being communicated by
according to the gain reason?

Ans. I did not.

36. By same. Did you consider your im-
provements to be so important?

Ans. I did.

37. By same. What effect did this have
upon the fabric?

Ans. It made the cloth of more even
tenure. I could not mention in
the speed.

38. By same. Did Mr. Pike never suggest these
improvements to you?

Ans. He did not.

39. By same. Did you suggest them to him?
Ans. I don't recollect.

40 By same. Do you recollect at what time
Joseph Hall was here, or if he was
here after the improvements were
made.

Ans. I don't recollect when he was
here, but I have every reason
to believe that he was here after
the improvements were made.

41 By same. Did said Hall go in to Mill
No 4 when he came here?

Ans. I heard that he did.

42 By same. Did you know the fact
yourself?

Ans. I did not.

43 By same. Did you have any conversation
with Mr Hall yourself?

Ans. I did not.

44 By same. Did you know he was here
and for what purpose?

Ans. I did not at that time.

45 By same. Were there improvements
spoken of to Mr Hall to you,
Deft } knowledge or from any information
from any other person?

Ans. I don't know as they were.

46 By same. Is the wet dry part of the
machine?

Ans. In some cases you might
consider it was, in others not.
I don't consider it a part of the machine.

47 By same. At the time these improvements
were made ~~in~~ at Mill.

No 4. or at any other time did you state a presence of Mack Hiff or even or any other person that you brought those improvements from Europe?

Ans. I did not

48. By same. Did any one in your presence state that you brought these improvements from Europe?

Ans. I never heard a thing of it before today.

49. By same. Does not the web pass through the reed?

Ans. The warp does pass through the reed.

50. By same. Is the warp connected to the reed?

Ans. I should not think it was.

51. By same. Have you ever given your deposition before in an action brought by Amasa Stone concerning the same matter?

Ans. I have.

52. By same. ~~Did you then state~~ ~~what you~~ If the time these improvements were made was any thing said about Rhode Island?

Ans. Nothing that I recollect of.

Questions By O. W. Potter for the Defendant
Reserve 1

1. Was the letter considered a flycatcher by reason of the spring's being attached to it, as in figure No 1?

Ans. It was!

2. By some. Is the real case whether it be the back piece & top connect in the whole letter ~~when under~~ a connection with the springs or flight?

Ans. Do not comprehend the question exactly?

3. By some. In the real case ~~whether the letter~~ attached to what constitutes a flycatcher in figure No 2?

Ans. The spring ~~is~~ ^{is} to the back piece

4. By some. Does not the top of the spring in figure No 1, which is applied to the ~~same~~ ^{same} from the crack ~~have~~ ^{have} just to ~~go~~ ^{go} while it is then ~~in~~ ⁱⁿ proportion to the pressure of the filling against the bed?

Ans. It does

5. By some. Was there no alteration in the motion or movement of the letter at the time of the alterations in the ~~case~~ ^{case} as believed by you in your answer to

At 25th Cross Interrogatory?

Ans. There was. I was to correct my answer to the 26th Cross Interrogatory.

The slots in the case of the Castle marking the 1st Figure No 1 where the springs are pressed through were stopped up by putting a piece of wood in and thus making it a crank bar instead of a positive motion.

Q. 2. You can see in your own mind that you were sure when you were with the land by passing until 1847, and only that you knew that it coincided with a slighter or spring pole when the main body of the latter was a positive motion?

Ans. I mean that I never saw it before 1847 when the main body of the latter was a positive motion.

Q. 3. Had you seen your friend connected with the land since 1847?

Ans. I have.

Q. 4. Under what circumstances did you see him first deposited related to the as above stated?

Ans. I made him relate to the a trial ending without success. He can state in a few days, I gave him the

of iron.

9. By name. Do you say that when the filling
is put into the warp, and the warp
is falling on it it takes a set the
the reed comes up ~~against~~ it
and it does not make a con-
nexion by way of the warp from
the reed to the yarn beam?

Ans. And when there is a friction
stop on the beam.

10. By name. Does the reed communicate
motion to the yarn beam by the way
of this connexion?

Ans. It does.

Cross Interrogatories resumed by Pff.
After your said first deposition had
1. been taken was you asked if you intended
to make any alteration?

Ans. When they came back the second
time, they asked me if I could
say any thing different with
reference to the time when the
alteration was made. I told
them I did not know as I could
except to put it a little earlier.
There was not much more said
& the deed was taken by the witness over.

5th Dec. By same
2. Did they ask you generally if you wished
to make any alterations
Ans. I believe not.

3. By same. In answer to the tender of a copy of
your deposition to the defendant's representative
you say "I have". Did you then
refer to the motion as a Figure
No. 1.

Ans. I did

4. By same. In Figure No. 1. Was not the steel
fixed in the center of the beam and was
not the center connected by a beam
to the front?

Ans. It was.

5. By same. Did you not make the alteration made in
Figure No. 2. connect by a beam the
two beams to the top of the upright
rod?

Ans. I did.

Questions by Mr. Potter for the Defendant to
re-examine

Was there not a connection by a beam
between the steel and the beam in
Figure No. 1?

Ans. Of course there was
Cross Examination by Mr. Atty

Did you mention the machine in
Fig No. 1. in your first deposition
Ans. I think I did not, but it is in

long^{er} that I do not recollect.

By same. Do you mean to say that the con-
nexion by gearing between the yarn beam
& the bar in fig. 1st. and the ^{confer} gearing
between the yarn beam & the flight
or spring feed as in fig. 2d. is the
same thing?

I sur. I mean to say that the princi-
ple is the same

Deposited fees, 48⁴ John Burdett

Drafted on June 4. 1840 Subscribed and
sworn to before me

Chas. W. Woodman

Jur. Peace



1 Joseph Merrill of Dover in the State of
New Hampshire deposes and says in
response to interrogatories as follows
Questions by Q. R. Potter for the defendants

How long have you been acquainted
with the power loom?

Ans. I went into the weaving room in 1827 and
since then have operated on power looms
at Dover Mills.

2 By same. Was there a connexion by gearing from
the reed to the yarn beam on the looms
when you first went into the mills?

Ans. There was.

3 By same. Was the motion of the yarn beams
produced by the reed?

Ans. It was.

4 By same. How many looms were in said
mills on this plan in operation?

Ans. I cannot say - there were not far
from fifty in the room in which I
worked in No. 4 mill.

5 By same. Were there springs or flighters
attached to these looms?

Ans. Yes.

6 By same. Was the reed cased in the latter
in any looms in operation at said
mills in 1827?

Ans. ~~The~~ It was. By the reed being cased
under its frame placed a fixed
rod in figure no. 1, annexed to the Depo-
sition of John Brown.

7 By same. Was the reed case attached to the

Q. 2. to
by Mr.

to the main body of the lathe, so that
by the pressure of the web it would
give out from the main body of
the lathe, in Mill No. 4 in 1847?

Ans.

The seed case was attached to the
frame and the spring was attached
to the end of the lathe. I should
consider therefore the seed case attached
to the lathe, and it will give out from
the main body of the lathe by the
action of the web.

Q. 3. By Mr. [unclear], How the movement of the yarn
beam governed by the pressure of
the web against the seed?

Ans.

It was

Question by L.C. Eaton Atty for Mr.

crop, later rearing

1. By Mr.
to, Sept 3

What difference is there between figure
No. 1 and No. 2, in draft annexed to
and shows disposition, or what
alterations were made in the looms
in No. 4 mill = 2000?

Ans.

The difference is that in No. 2, the back
piece which the spring is attached to
is attached in loose and in No. 1 it is
cased.

2. By Mr.

What change was there in the mechanism
of putting on the gearing?

Ans.

The alteration in the gear was laid down
in reg No. 2 aforesaid.

3. Bydane. Was or was not the casing in fig. 1.
from the gear beam attached to
the band of the lathe?

Ans. Yes.

4. Bydane. Was or was not the casing from
the gear beam in fig. 2. attach-
ed to the flywheel or spring rod?

Ans. It was

5. Bydane. Was not the gear beam in
fig. 1 regulated by the vibration of
the lathe?

Ans. In No 1. The whole lathe opera-
tes as a flywheel, and the vibration
of the lathe regulates the gear beam.

6. Bydane. Is it not in fig. 2. the gear
beam regulated by the spring vibration
of the flywheel or spring rod?

Ans. Yes.

7. Bydane. Is it not in fig. 1. in which the
casing is attached to the band of the lathe?

Ans. This

8. Bydane. Is it not in fig. 2. the casing
still attached to the flywheel or spring
rod?

Ans. It is.

9. Bydane. Is it not in fig. 2. the casing
attached to the flywheel or spring rod?
Is it not vibrating with the lathe?

Ans. Both answers are proper, but there is
a difference in the

10. Bydane. Do they answer the purpose equally
well?

Ans. They do not. The spring or flywheel

operator best.

11. By Lane. What do you mean by a *sear*, *piece* & a *slide*?

Ans. We call it a *slide* that goes down on to the *sear* by it to the and comes against the back piece of the *reed*.

12. By Lane. Is the vibrating *lath* in fig. 101 a *slide* or *weaver* *piece*?

Ans. It acts as a *slide*.

13. By Lane. Do you know who introduced that improvement at Lane?

Ans. I do not know except what I heard from them.

14. By Lane. Did you hear from them, Lane, that it was his invention?

Ans. I heard from Lane, that it was his invention, the first he ever saw in a *power*.

15. By Miss W. Potter for Dependents
Resumed

1. Does not the *reed* regulate the vibrating *lath* & by this means regulate the movement of the *garn* *beam* as in fig. 101?

Ans. It does

2. By Lane. Is there not a connexion in fig. 101 by gearing between the *reed* and *garn* *beam*?

Ans. There is a connexion to the *lath*, but there is

a connexion to the whole or the whole
is connected.

Q. Do you mean to include the seed
in this connexion?

A. I state that there is a connexion
between the seed and the whole, the seed is con-
nected with the earth and the whole
with the year beam

4. By same. Would there be much difference in
the effect upon heavy goods by the attraction
of the loom from No. 1 to No. 2

A. I should not think there would be much
difference in the effect.

5. By same. Do you consider the attraction of the
seed as being attracted by reason of the difference in
the attraction of the seed and the whole?

A. I do consider it rather as being the prin-
cipal part of the attraction.

6. By same. Is this by reason of the pressure of
the seed against the earth?

A. Yes.
Q. Due to the L.C. Extra atty for 1/2

1. I am the gearing of fig No. 1. Attached
to the end of the beam

A. Yes.

2. By same. Is the gearing is attached to the beam, does it
not lift the beam?

A. I should not think so, as far as that, that
it is the end of the year beam.

3. By same. Does not the gear in fig. No. 2
from the year 1800 to the ~~year~~
spring. flight the seed stop at
the spring a lighter seed?

Ans. It does.

4. By same. Does not the last one tend make
a more perfect operation?

Ans. It does.

Questions by A. W. Potter for Dec. 1845

1. Is not the gearing in fig. No. 2. The same
as the spring the same that it is attached
to the latter in No. 1.

Ans. One is attached to the latter & the other
to the spring.

2. Is not the gearing of the gear beam
attached to the spring in fig. No. 2

Ans. It is.

3. By same. Is not this the end of the gear?

Ans. I should say it was.

4. By same. Is not the gear in fig. No. 1. attached
to the latter?

Ans. I could not say that it was attached,
as it is possible to be attached, is
fastened on, the rest was caught
in or laid on.

5. By same. Is it not connected with the
latter?

Ans. Yes.

6. By same. Does not the gear by way of the
connection with the latter beam?

Ans. I should say it is.

J. M. Lane Does not a connection exist ~~between~~
a No. 1 & 2 between the seed and
your beam?

Ans. Yes, but there is a difference in
them, one is by way of a spring ~~the~~
and one by way of a letter.

J. M. Lane Is the which stick fastened to the ca
spring same pressure to the seed than
the one which is fastened to the letter?

Ans. The distance is about the same.

Deposited per 88th Joseph H. Merrill

Stafford N. June 5, 1845 Submitted to
James H. Rogers

Wm. W. Woodman

Willie Duggin of D.C. is New
Hampshire Rep. and try to answer
the interrogatories as follows

Question. By O. P. Potter Jr. & friends

1 Will you state what you know relative
to the alteration of the beam in No. 4
Dunn Mills in 1827 and wherein that
alteration consisted?

Ans. The alteration was made in June 1827.
I was the change from the beam from
fig No. 1. - The plan annexed to
John Brown's letter to fig No. 2
I took the letter out myself and
~~sent~~ James Top and Samuel
Brown Jr. assisted in making the altera-
tion with wood work in putting the
letter together - I have made three
different kinds of beams since for
- Dunn ~~lansing~~ and have looked
on the fourth - etc. - can not therefore
state all the particulars.
I saw no alteration in the sheet
metal. In fig No. 2 it is attached
to the spring & in No. 1 to the
letter - Mr. John Chase a Mr.
Anderson told me directed me
to proceed on this work. I do not
recollect a hearing said Dunn claim
said alteration to his invention, or of
D. "supposing that said Dunn claimed it."

Deponents fees 48.

Stafford W. June 5. 1840 Subscribed and
sworn to before me

W. W. Woodman

Notary Public

I move Paul of Green & the Compt-
shire before me say a witness & inter-
rogatories as follows.

Question by O.W. P. to the witness
1. Do you state what you know about
the alterations in the looms in the
Dover in 1827?

Dover in 1827?

I was not here in 1827, and I don't
know any thing about the alterations.

I came here early in 1828 ^{in March} and the

looms in No. 4, the last the first the

motion in the second case, as the

representation on fig. 2, and plan are

referred to the description of the looms.

I am not a competent person sufficiently

by acquainted to state the difference

from a different ^{operation} & modes of

machines. In 1828 I was superintend-

ant in manufacturing agent, and

since Dec 1834 I have been Agent of

the Dover Manufacturing Company

at Dover.

I answer to Cross Interrogatories by L.C. Vinton

all the above. I further depose that

I did not in 1827 see looms in mill

No. 4 with the slighter reed, for the

reason that I was not in the company

of the company at that time, I was

in New Mills above the village.

When Mr. G. M. Hall when he came
here, in 1808 or 1809, he was
employed in the New Manufacturing
Company to see to the ~~execution~~
of the work for the Printing
In and out two or three days, what he
did he did not know as if I did
I am sure. I believe Mr. Matthew
Bridge was at that time acting agent
of the Company. I think Mr. Hall
came here in the summer of the
year that began in the spring.

I do not recollect stating to Mr. Hall
the alterations in the looms in No. 4 mill
nor that he ~~said~~ spoke of one of our
improvements on the looms in Little
Island which he ~~had~~ seen or was going
to see. It might have been added
but I don't recollect any thing about
it. In conversation with Jonathan
Nishe I have heard him say that
he got the idea of the improvement on
the loom from a Mr. Marland who
worked in No. 2 lower weave room as
was stated. He died before I came
here. Mr. Burns's name was also
mentioned in connexion with Mr.
Marland's.

signed to us, 48th

1850

May 5 1841, La. revised and done to be in
the Lib. of the Museum
Per. name

...not into operation?
...in the center of the ...
...operation.

By name, in which will you find a
flight to and from a bird in the
house town?

61. *Amphispiza bilineata* No 4

But am I, if included in a group, then
I really hate by any one of them?

Ans. It was talked of at that time as an
invention which Mr. Brown, brought
from England, this was the little in the
North Shop, I did not know any thing
about it except what I have told
you - even amongst the friends in the other
part of the Shop.

is alone. And when I think of that time, I
your knowledge, grateful to be the witness
by the conversion of the flightless ~~and~~ flying
seed with the grain below?

Nov. It is very surprising that ~~the~~ the time
of the blockade the ship was that the part
of the machine was brought on with the
rest from England. The last of November and
I think I have not seen it since.

Q. Same in the ship.

A. Same. Did you know direct as to the
direction the sailing or after action of
the ship in 1864?

A. He did not give me any direction
by name. There was a change of the force.
Q. Was it or he told when he gave
any directions?

A. Yes when he thought it worth to have
done.

Q. What did Mr. Burns then say with
respect to the situation or improve-
ment that was then to be made?

A. I don't recollect now.

Q. During that time could it be
seen in the ship?

A. There was but little among the crew.

Q. Was Rhode Island with the rest of
your collection mentioned in con-
nection with this subject?

A. I think there was something of
that kind.

Q. Was Rhode Island mentioned
by Mr. Burns?

A. I could not say that it was by him
more than that rest, as he was going
back and they were talking
about the force.

Q. Is P. M. Potter for the Defendants
in the case of the Blacksmiths
ship?

A. No.

By Lane. How can you be so sure as to be sure?
I can't see a sound hand - a shaggy one -
By Lane. Should you know the spring in the hill?
I can't see the spring?
Ans. I think I should find it in the hill
where some of them -

By Lane. Can you describe the spring in the hill?
I can't see the spring?
Ans. I can't see the spring in the hill
where some of them -

By Lane. To what part of the hill is the spring
applied?

Ans. To the well - I should call it
the crop -

By Lane. Where is this crop piece of the hill -
sit at a table the spring is applied?

Ans. I cannot tell now.

By Lane. Are you acquainted with the person
who saw that which they saw?

Ans. I have seen that which they saw
was a person -

By Lane. How did you know the person who
was lying in the shop -

Ans. By the hands in the shop -

By Lane. Did you know it to belong to
that corn?

Ans. No. I had not otherwise -

By Lane. I should like to see the person who
saw that corn.

Ans. I don't recall now I could tell.

By Name. Did you know what these springs were for?

Ans. ~~They~~ They said, for their looms.

By Name. Did you know for what purpose they were to be applied to the looms?

Ans. No.

By Name. Do you now know?

Ans. I don't.

By Name. Do you know that the spring or flycatcher was first used in the No. 4 mill of the Dover Manufacturing Company?

Ans. That was the talk in the shop, I don't know any further.

By Name. Do you understand the flycatcher & spring to be one and the same thing?

Ans. I do, for I believe they used to call them Springs.

By Name. Did Mr. Burns direct this improvement for which purpose the springs were made at that time?

Ans. I couldn't say any other way than what I have heard, ^{which was} that it was Mr. Burns' improvement at that time.

By Name. Can you state what this improvement was which Mr. Burns made at that time?

Ans. No. I could not, I don't recollect exactly about it.

By Name. Are you positive that Mr. Burns said nothing about the loom in

By Allen. At how many different times
have you worked in said Mills?

Ans. I believe it is from a few times
until this mill was all.

By Allen. Did you ever work in the
Cotton Mills?

Ans. No.

By Name. Was your occupation the same
at the several times you worked there?

Ans. It was about the same - except when
I was in the Roll mill.

By Name. Was you ever employed outside
and on rock work?

Ans. No. I have sharpened a few tools
for rock work, but I believe I never
worked out door.

By Name. At which of your several times of
working in said Mills did you hear
the conversation of said Thomas
said improvements of the loom, and
do the work upon the same as above
referred to?

Ans. I believe it was the second time.

By Name. Was this time as early as 1823?

Ans. I cannot tell.

By Name. Do you think it would have been as
early as 1825?

Ans. I should not tell.

By Name. Did this take place in your time
connection when you worked in the

Shake hands?

Q. I think it was because it was the last time that he was under him, from the books there at that time?

A. I believe he was.

Q. Now, can you tell at what date the books or notebooks were here?

A. I am not, nor when they left.

Q. Now

A. Now, was the machinery when you worked upon at the time of the above conversation of the Bureau relative to the event of the loss, that which relates to a commission between the gas beam and the end of that time applied to the loss of the same?

A. I don't recollect what it is. I can not say that that was for that the commission between the gas beam and the end.

Instrument 64th Mark  Full

Received on June 4, 1841. Submitted to the Bureau
to be kept in the Smithsonian Institution
L. Pease

Q. Did you know that John
Burns before he was a member of the
Committee on Education?
A. Yes, I did. I was a member of the
Committee on Education at the time
he was a member of the Committee on
Education.

Q. Was he a member of the
Committee on Education in 1896?

A. Yes, he was a member of the
Committee on Education in 1896. He was
a member of the Committee on Education
in 1896. He was a member of the
Committee on Education in 1896.

Q. Was the constitution of the
Committee on Education in 1896
a little different from the
constitution of the Committee on
Education in 1894?

A. Yes, it was.

Q. What was the difference
between the two constitutions?

A. I don't know what the difference
was between the two constitutions.
I don't know what the difference
was between the two constitutions.

Q. Did you ever know that John
Burns was a member of the
Committee on Education in 1896?
A. Yes, I did. I was a member of the
Committee on Education in 1896. I
was a member of the Committee on
Education in 1896. I was a member
of the Committee on Education in 1896.

Q. Did you ever know that John
Burns was a member of the
Committee on Education in 1896?

A. Yes, I did. I was a member of the
Committee on Education in 1896. I
was a member of the Committee on
Education in 1896. I was a member
of the Committee on Education in 1896.

more I have known that I have
but not that I have seen some
with him till within a few years
past, so I was very young for
quite knowing him. I can say the
same with regard to my knowledge
of some people.

Question - By Latis W. Potter for the Defendants to

Q. Now you can see whether
the similarity of the yarn is as

Ans. as far as 1830.

Q. Now, did they appear to have been in
operation some years prior to
the appearance of the machinery?

Ans. Yes.

Q. And the nature of the yarn
you have affected in the case?

Ans. It was in 1830.

Q. Now, the connection of the yarn
you have affected in the case is
the same as the yarn seen?

Ans. I should not think there was any
difference, I never thought of it
if there was any particular
difference, it all looked alike.

Q. Now, in 1830 did the connection between
the yarn seen and the appearance
of it?

Ans. I should think it did somewhat.

old, a room was a multi part
or rather it should be some
part of the room

Question by Plaintiff's atty

Have you any recollection of exam-
ining the books in 1830 to see if
any one part was older than
another part or had been in
some way.

Ans. No

John Fletcher June 4th 1840

Deposited fees 44^{cts}

Filed N. June 4th 1840 Subscribed and
sworn to before me John W. Woodman
Jus. Peace

State of New Hampshire

Windsor Co.

At my office in Dover in said County
at ten O'clock in the forenoon on the fourth day of June
1840 being the time and place appointed by me for said
purpose. The within named Mark Hall and William
Melcher and John Burns, and at the same place on the
fifth day of said June the within named Daniel Duggin
Joseph Morrell and Moses Paul, having been duly con-
tained, examined, and sworn to testify the true truth
and nothing but the truth, relation to the causes for
which their depositions hereto annexed were taken, did tes-
tify and subscribe in my presence said depositions which
were reduced to writing by me, The deposition of Mark
Hall and William Melcher were taken as the required,
the Hall and the deposition of John Burns, Daniel Dug-
gin Joseph Morrell and Moses Paul were taken by
request of the defendants, named in the Commission here-
to annexed to be used at the Circuit Court of the United
States for the District of Rhode Island to be held at Newport
in and for said District on the fifteenth day of June
instant, in certain causes then pending and named in
said Commission. The said parties being ^{duly} notified were
present and did not object. The defendants appeared
only by Otho W. Potter their agent, the Plaintiff attended
personally and with L. C. Eaton his attorney and it was
mutually agreed that on the trial of said actions

each party may use any or all of the above
 depositions. The depositions being more than one
 hundred miles from ^{the place of trial} Newport is the cause of
 this caption

Costs - Paid Clerk for Certificate - 25^{cts}

Plf's costs
 Frank Ball fees .64[¢]
 Wm Melcher .. 48
 Subpoena Sum 9 1.04
 Witnesses taking Depositions
 of Ball & Melcher 3 3.00
5.16

Def'ts costs
 John Burns fees 48[¢]
 Geo. Gering .. 48
 Joseph Monell .. 88
 Moses Paul .. 88
 Subpoena Sum 9 1.04
 Witnesses fees taking Depo-
 sitions of Burns, Gering,
 Monell & Paul 2 8.00
11.50

\$ 16.91

W. W. Warburton

Sec. of the Court

State of New Hampshire
Shafford County ss.

I Francis Cagnwell
Clerk of the Superior Court of Judicature
for said County hereby certify that
Charles W. Woodman, Esquire, is a Justice
of the Peace within and for said
County of Shafford duly commissioned
and qualified and that the foregoing
signature purporting to be his is

genuine. In testimony whereof
I have here to set my hand and
affixed the Seal of said Court
this fifth day of June A.D. 1840.
F. Cagnwell, Clerk.



United States of America.

Rhode-Island District, ss.

The *Circuit* Court of the United States,
within and for the Rhode-Island District

TO *of Dover in the State of New Hampshire by*
Thomas E Sawyer, or any Justice of the Peace in the sd
State of New Hampshire, Maine or Massachusetts

KNOW YE, That, reposing confidence in your wisdom, prudence and fidelity, we have appointed, and by these presents do authorize and empower you to take the ~~answers to the interrogatories hereunto annexed of~~ *Depositions of*
Mark Hall of said Dover and others ^{parties} to be produced by either
Party without Interrogatories

to be used in a certain cause now pending in said Court, wherein *Anasa Stone*
is Plaintiff, and Benjamin Pottes is Defendant. Same vs
Wm & Anasa Sprague. Same vs Crawford Allen et al

And to this end, at certain days to be by you appointed for that purpose, to cause said witnesses, as aforesaid, to be brought before you, and each witness, while present before you, to examine carefully on oath touching the premises. And when you shall have taken the examination as aforesaid, to reduce or cause the same to be reduced to writing, and to be subscribed by each of said witnesses in your presence. And the same, so taken and subscribed, to return, together with this COMMISSION and your doings herein enclosed, sealed and directed to the *Circuit* Court aforesaid, next to be holden at *Newport* on the *fifteenth* day of *June* next.

In Testimony Whereof, We have caused the seal of the said *Circuit* Court to be hereunto affixed.

Witness, the Honorable *Roger B Taney* at *Providence*
this *second* day of *June* in the year of our Lord
one thousand eight hundred and *forty*

John T. Pitman

CLERK.

RECEIVED FROM THE

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RECEIVED FOR THE

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Five Ten 1740 1st day
Shred in bank
A.T.P. Clerk

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Amasa Stone

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Wm & Amasa Stone

Carri Intis Eaton Smith

Eaton & Simmons
1858 for
[Signature]

Rhode-Island District, &c.

THE PRESIDENT OF THE



UNITED STATES OF AMERICA,

TO THE MARSHAL OF SAID DISTRICT, OR TO HIS DEPUTY—GREETING.

WE command you to ^{summons} arrest the body of William Prague of Newbury in said District of Governor & Amasa Prague of Cranston in said District manufacturers owners of Mills in said Newbury

~~body~~ may be found in your District, and for want of body, to attach goods and chattels, to the value of dollars, and or in safe custody keep, to answer the complaint of

Amasa Stone of Johnston in said District

at the next Circuit Court, to be holden at Providence within and for the Rhode-Island District, on the fifteenth day of January

next ensuing the date hereof, in an action of the case for that the Jury in their said return did say at said Newbury on the first day of January 1839. & an other case between said Jan & the day of the date hereof having previously without the consent & against the will of the Jry made or caused to be made & did use

without the consent & against the will of the Jry the new & useful improvements on Power looms which can be used in the United States of America, a signed copy of the President's order in which leaving date the 30th of April 1839 for the term of 14 years as by the declaration to be filed in Court will be fully set forth, to the damage of the Plaintiff

Five thousand dollars. Hereof fail not, and make true return of this Writ, with your doings thereon. Witness made & provided

the Hon. ROGER B. TANEY, our Chief Justice, at Providence

this 11th day of

October

Anno Domini, 1839

John T. Pitman CLERK.

Rhode Island District } In the case
Circuit Court of the U.S. } Amasa Stone against
Wm & Amasa Sprague.

Notice of Points of defense by Defendants.

The said Defendants, pursuant to the law in such case provided hereby give notice to the Plaintiffs, that under the general issue pleaded by the Defendants in the above case, they intend to give in evidence on the trial, among other things, the following special matter, to wit;

That the Plaintiff is not the original and first inventor, or discoverer of the supposed invention, in the Plaintiffs Declaration mentioned, or of any substantial, or material part thereof (claimed as new) and that the same invention or discovery was publicly known and in public use in divers parts of the United States, as well as elsewhere, long before the time of the supposed invention and discovery thereof by the Plaintiff; and that the same was so publicly known and in public use particularly in the States of Massachusetts, Rhode Island, Connecticut and New Hampshire; to wit, at Lowell, Waltham, Dedham, Braintree, Fall River, Dorchester, Rehoboth, Newton and Mendon, in the State of Massachusetts; at Manchester, Sterling, Thompson, Killingly, Plainfield and Ashford, in the State of Connecticut; at Johnston, Warwick, Cranston, East Greenwich, Providence, North Providence and Scituate in the State of Rhode Island; at Dover, Peterborough and Mason, in the State of New Hampshire, and at several other places in the States aforesaid, as well as elsewhere in the United States, long before the time of the supposed invention and discovery thereof by the Plaintiff; and that the same was so publicly known by George Brownell, William Logan,

Sherman of Lowell, James Downing and Ezra Taft of Dedham, Ebenezer Hobbes and Isaac Bayard of Waltham, John Chan of Springfield and Benjamin Peck of Rehoboth, all of Massachusetts; Job Manchester, David Whitman, Robert Potter, Elisha

Bacon and Emanuel Rice of Warwick; Benjamin Potter, Benjamin Arnold and Cyril Babcock of Providence; William R Butterworth of Coventry, Charles Anthony of Richmond, Samuel Mason and William Pinniger of Newport, William Kerr of North Providence, ~~also~~ of Charles H. Franklin, Nathaniel Bowen, George Waterman and Smith Kelley of Johnston all of the State of Rhode Island; Ara Potter of Sterling and Zuriel P. Arnold of Ashford, in the State of Connecticut; John Burns John Warland, Moses Paul, Francis O'Neal and Leonard Darkin of Dover, Phineas Adams of Nashua, all of the State of New Hampshire; and also by many other persons, by whom the same was known and in use as aforesaid, in the aforesaid States and elsewhere in the United States

And that the description and Specification of the said Plaintiff annexed to his said Letters Patent, does not contain the whole truth, relative to his said supposed invention or discovery.

And also, that in the opinion of Experts, the Specification of said Plaintiff annexed to his Letters Patent aforesaid, is vague ambiguous and uncertain, and does not with sufficient certainty and distinctness describe the supposed invention of the Plaintiff, and does not specify and point out the improvement, or part of it which he claims as his invention or discovery

Peter Pratt
and
R. W. Greene

Attys for Defendants,



Notice of
Points of Defense
in case of
Amada Stone

vs

Wm S. Amada Sprague

Filed May 16. 1874

Shawmutt & May 1874
Served on Wm S. Amada
Eaton of his own
Circuit Attorney

Copy

Dection

Amasa Stone

vs

Wm & Amasa Sprague

Eaton & Simmons Attys for Plf

Circuit Court of the United States

Rhode Island District &c

November Term A D 1839

Amasa Stone of Johnston in said Dis-
trict complains of William Sprague of Warwick in said Dis-
trict and Amasa Sprague of Cranston in said District Man-
ufacturers, Owners of Mills in said Warwick summoned by
the Marshal of said District in an Action of the Case - For
that the Plaintiff was the original and first inventor of a cer-
tain new and useful improvement on a machine or manufac-
ture in the Letters Patent hereinafter mentioned and fully
described, the same being "A new and useful improv-
-ment on Looms not known or used before his discovery, which
consists in the communication of motion from the reed to
the yarn beam and in the connection of the one to the
"other" - which was not known or used in public use or on
sale with his consent or allowance at the time of his ap-
plication for a Patent as hereinafter mentioned, and the
Plaintiff being so aforesaid the inventor thereof and being
also

also a citizen of the United States, on the Thirtieth day of April in the year of our Lord one Thousand Eight hundred and Twenty nine, upon due application therefor did obtain certain Letters Patent therefor in due form of Law under the seal of the United States signed by the President of the United States and the Secretary of State and certified by the Attorney General of the United States, bearing date the day and year aforesaid - whereby there was secured to him his heirs administrators, executors or assigns from and after the date of the Patent the full and exclusive right and liberty of making, constructing and vending to others to be used the said improvement as by said Letters Patent in leant to be produced will fully appear, a certified copy is hereto annexed - And the Plaintiff further says that from the time of granting to him of said Letters Patent hitherto he has made and used & vended to others to be used, the said improvement to his great advantage and profit - Yet the said Defendant well knowing the premises, but contriving to injure the Plaintiff did on the First day of January, A D 1839 and at divers times before and afterwards during said term of fourteen years mentioned in said Letters Patent and before the purchase of the Plaintiffs' writ at said Warwick unlawfully and wrongfully and without the consent and allowance of the Pls' and against

against his will did make or caused to be made and did use said improvement in violation and infringement of the exclusive right so secured to the Plaintiff by said Letters Patent as aforesaid and contrary to the form of the Statute of the United States in such case made and provided: whereby the Plaintiff has been greatly injured and deprived of great profits and advantages, which he might and would otherwise have derived from said improvement. →

And also for that the Plaintiff was the original and first inventor of a certain new and useful improvement of a machine, to wit, an improvement on the Power Loom which can also be applied to other Looms & which was not at the time of his application for Letters Patent as aforesaid in public use or on sale with his consent or allowance & on the day and year aforesaid obtained Letters Patent therefor which were signed by the President of the United States & certified & sealed in due form of Law, whereby there was secured to him his heirs administrators or assigns for the term of fourteen years from and after the date of the Patent, the full and exclusive right and liberty of making constructing, using and vending to others to be used the said improvement as by said Letters Patent in Court to be produced will fully appear. → And the Plaintiff says that from the time of granting to him said Letters Patent hitherto he

he has used made and vended to others to be used the said improvement - whereby the exclusive right secured to him, has been and now is of great value to him to wit of the value of one Hundred Thousand Dollars - Yet the said Defendants well knowing the premises but contriving and wrongfully, intending to injure the Plaintiff and to deprive him of the profits, benefits and advantages which he might and would have otherwise have derived and acquired from the making and using and vending said invention after the making of said Letters Patent and within said Term of Fourteen years in said Letters Patent mentioned and before the purchase of the Plf's wit to wit on the first day of January A.D. 1839 and at divers other times before and since at said Warwick in certain Mills by them run unlawfully and without the consent and allowance and against the will of the Plaintiff did use the said improvement on a great Number of Power Looms to wit Five hundred in violation and infringement of the exclusive right so secured by the Plaintiff by said Letters Patent as aforesaid and contrary to the form of the Statute of the United States in such case made and provided - Whereby the Plaintiff has been greatly injured and deprived of great profits and advantages which he might and would otherwise have derived from said invention.

And the said Plaintiff further says that he
being

being such inventor and said Letters Patent having been so made as aforesaid; and the said invention or improvement having been so made used and vendd by him - Yet the Defendants well knowing the premises but further contriving and intending as aforesaid after the making of said Letters Patent and within said term of Fourteen years to wit at said Warwick in certain Cotton Mills by them run on the first day of January A D 1839 and on divers other days and times between that day and the day of the issuing of the Plaintiffs writ unlawfully, unjustly and without the leave or licence against the will of the Plaintiff having previously made or cause to be made, did use divers, to wit: Five Hundred Power Looms with the improvements of the Plaintiffs thereon and in imitation and counterfeit of said Plaintiffs' ^{invention} ~~imitation~~, being a change of form only thereof - in breach of said Letters Patent. - Whereby the Plaintiff has been greatly injured and deprived of great profits, which he would have otherwise have acquired - By reason of all of which the Plf has sustained the actual damage of Five Thousand Dollars and by the force of the Statute aforesaid an action has accrued to him to recover the said Damage and such additional amount not exceeding in the whole three times the amount of such actual damage as the Court may see fit to order, to order and adjudge. Yet the Dfts though requested has never paid the same or any part thereof to the Plf, but hath refused and yet refuses so to do.

To the Damage of the Off as laid in his writ
dated the 15th day of October A.D. 1839 Five Thousand
Dollars.

Wherefore he sues by his atts

Eaton Simmons.

Copy annexed

The United States of America

To all to whom these Letters Patents shall come

Whereas Amasa Stone, a citizen of the United

States hath alledged that he has invented, a new and useful
improvement on Power Looms, of which can also be applied to other
Looms, which improvements he states has not been known or used
before his application, hath made oath that he does verily believe
that he is the true inventor or discoverer of the said improvements,
hath paid into the Treasury of the United States the sum of Thirty
Dollars, delivered a receipt for the same and presented a pe-
tition to the Secretary of State signifying a desire of obtaining
an exclusive property in the said improvements and praying
that a patent may be granted for that purpose - These are
therefore to grant according to law to the said Amasa Stone
his heirs, administrators or assigns for the term of fourteen years from
the thirtieth day of April One thousand eight hundred and
twenty nine the full and exclusive right and liberty of making
constructing, using and vending to others to be used, the said im-
provements a description whereof is given in the words of the
said Amasa Stone himself in the Schedule hereto annexed
and is made a part of these presents.

In Testimony whereof I have caused these
Letters

Letters Patent to be made Patents and the Seal of the United States to be hereunto affixed -

Given under my hands at the City of Washington this thirtieth day of April in the year of our Lord one thousand eight hundred and twenty nine and of the Independance of the United States of America the Fifty third

Andrew Jackson

{L.S.}

By the President

M Van Buren Secretary of State

City of Washington to wit.

I do hereby certify. That the foregoing Letters Patent were delivered to me on the thirtieth day of April in the year of our Lord one Thousand eight hundred and twenty nine, to be examined. That I have examined the same, and find them conformable to law: and I do hereby return the same to the Secretary of State, within fifteen days from the date aforesaid to wit, on this thirtieth day of April in the year aforesaid

A Macpherson Berrien

Attorney General of the United States

The Schedule referred to in these Letters Patent and making part of the same containing a description in the words of the said Amasa Stone himself of his improvements on Power Looms which can also be applied to other Looms.

Now be it known, that I Amasa Stone of Johnston in the County of Providence, State of Rhode Island have

have invented a new & useful improvement on Looms, not known or used before my discovery, which consists in the communication of motion from the reed to the yarn beam and in the connexion of the one to the other which is produced and described as follows. -

The reed which is the same as the one in common use is encompassed with a frame in each side of which is a groove just large enough to receive the ribs of the reeds, and hold the reeds fast. - The reeds frame and reed are inserted in a lathe similar to the one now in use, and are held fast, by a spring or flighter at each end. - The springs or flighters are fastened at one end to the back part of the lathe; and the other ends of the springs or flighters project by the lathes against the back part of the reeds frame. - On the back part of the reeds frame is attached one end of a strap, which strap passes through the lower part of the race board, or bed of the lathe, the other end of the strap is fastened to a loop in a wire, at the lower end of this wire is another loop ^{by} which it is connected with another wire, having a screw loop at its top. - The lower end of the second wire passes through a lever at a point a little below the stud on which it moves, and is fastened by a screw with a nut on each side of the lever, by means of which the wire can be lengthened at pleasure. - The lever moves on a stud projecting from a girt, which extends from the upper to the lower girt of the loom at its end. At the upper end of the lever are two catches moving on a stud projecting from the lever, which give motion to a ratchet wheel.

wheel - This wheel, revolves on the same shaft with the lever - The other end of the Lever extends downwards beyond the edge of the wheel, and is brought in contact with the sword of the lathe when the shuttle passes through the warp - A friction pulley is raised on one side of the ratchet wheel over which passes another strap, with one end fastened to the forementioned girt and the other to a weight to steady the wheel, On the other side of the ratchet wheel is a bevelled cog wheel, which plays into and gives motion to a smaller bevelled cog wheel on the end of a horizontal shaft. - The shaft turns on two stands one attached to the girt above described, and the other to the loom frame - At the other end of the shaft is an endless screw, which plays into and gives motion to a cog wheel fastened to the end of the yarn beam. -

In operating a loom with this improvement attached to it when the lathe is thrown forward, the reed is pressed against the weft of the cloth, and the lathe proceeds on three eighths of an inch more or less. This retarded motion of the reed, draws upward the strap and wires attached to them and the lever, so that the catches on the upper end of the lever gain a tooth on the ratchet wheel. - The sword of the lathe in returning strikes down the lower end of the lever, and gives motion to the ratchet wheel. - By this means the ratchet wheel the large bevelled cog wheel, the smaller bevelled cog wheel the shaft, the endless screw, and the yarn beam are all caused to move. -

The Advantages of the improvement are that a greater quantity

quantity of work can be done with the same labour, than without it, that the warp is equally delivered from the yarn beams at all times without reference to its size, that the weft is equally distributed through the whole length of the warp, and cloth can be woven close or open at the option of the manufacturer and finally, that the yarn beams will cease to move and deliver the warp whenever the weft is broken or out. The weight and thickness of the cloth depend wholly on the stiffness of the springs or flighters.

I claim as my invention the connexion of the reed with the yarn beams, and the communication of motion from the one to the other which may be done as is above specified

Amasa Stone

Witnesses

John Graves

W^m H. Staples

I certify that the above and foregoing is a true copy

Providence May 10th 1837. Witness

Wm Olney J^r Public Notary

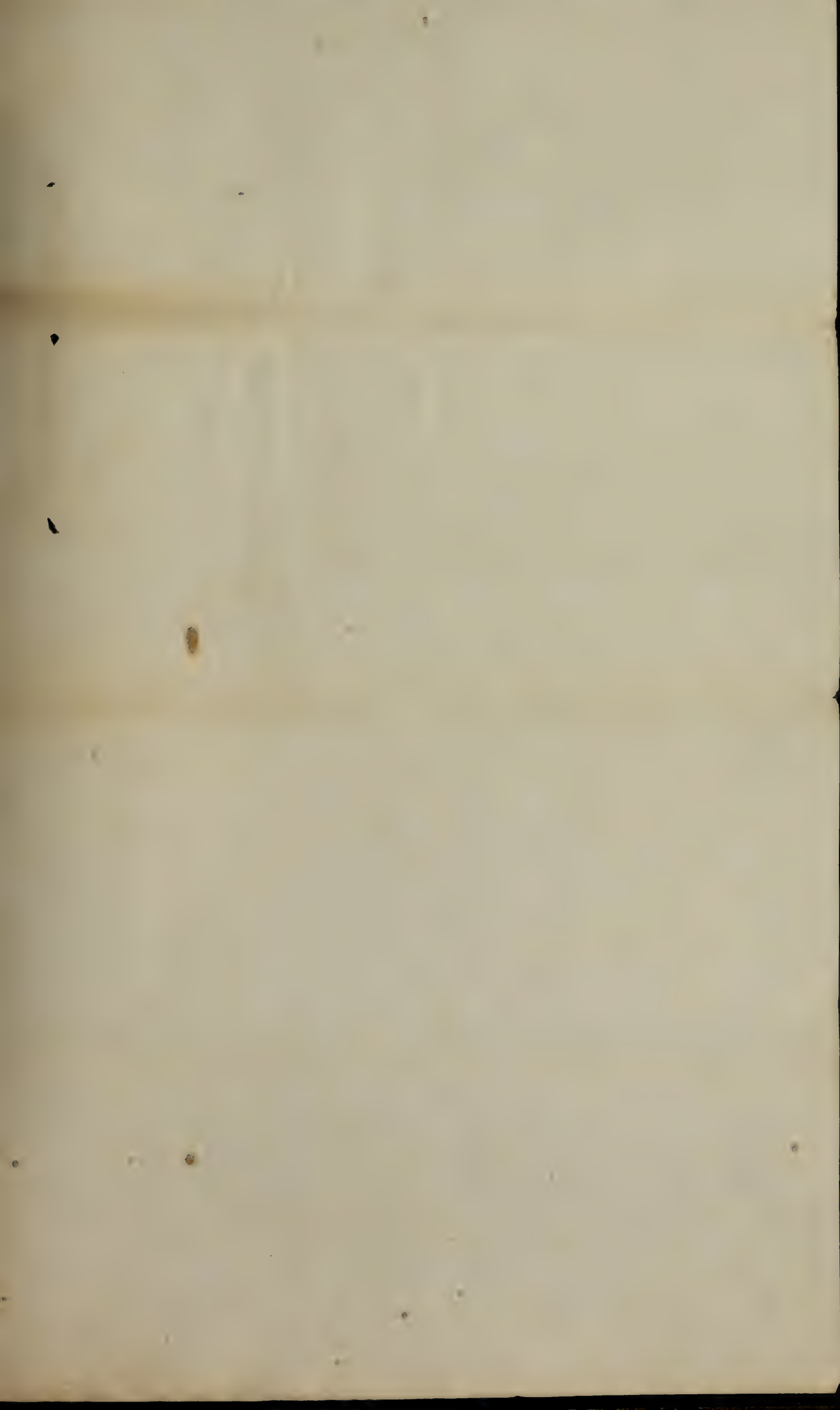
United States of America
Rhode Island District &c

Clerk's Office Circuit Court

At Providence Nov 8th A D 1839

I hereby certify that the above & foregoing Ten
pages contain a true copy of the Declaration of Amasa
Stone against W^m & Amasa Sprague filed of record in this
office for November Term A D 1839 - ^{and of this copy annexed to said Decⁿ} duly compared by me
\$3.25

John T. Pitman Clerk



Copy

Decth 18

Muala Stone

Sp^{er} & Muala Sp^{er} 1839

Sal^{ty} & L^umin^{er}

alt^{er} for old

Filed Nov 1st 1839

To Judge ~~Pittman~~ John Pittman Judge of USCC
Please grant a ^{joint} commission to ~~take~~

Thomas E. Sawyers or any Justice of the
Peace in ^{in the State of Massachusetts} ~~Dover N.H.~~ or Massachusetts
to take the depositions
of Mark Hall of said Dover and others
to be produced by either Party & without interrogatories filed
to be used in the Case of ~~Amasa Stone vs~~
^{against Benjamin Pratt & against Crawford Allen et al}
~~vs Amasa Sprague~~ at Newport USCC
to be taken June 3d at 3 o'clock P.M. at said
Sawyers office

Eaton & Sumner
attys for a Stone

Dr. W. Green & J. Pratt Attorn
for Depts

June 2. 1840

Let a Commission issue
to Thomas E. Sawyer, of Dover New Hampshire
P. Dover
of the peace in ~~New Hampshire~~
agreeably to the within request &
agreement

John Pitman
District Judge.

To the Clerk
of the Court Land R-1 Dist
N. H. R-1 District

Commission granted &
issued June 2. 1840

To the Hon Judge Pitman.
Judge of the District Court within
and for Rhode Island District n.

Amasa Stone respectfully requests
your Honor to grant a commission
to put further & proper interrogations
to John Brown & Moses Smith of
Dorset in the State of New Hamp-
shire. directed to Charles H. Woodman
or any Justice of the Peace in Dorset
interrogations to be filed with the
Clerk

By his atty

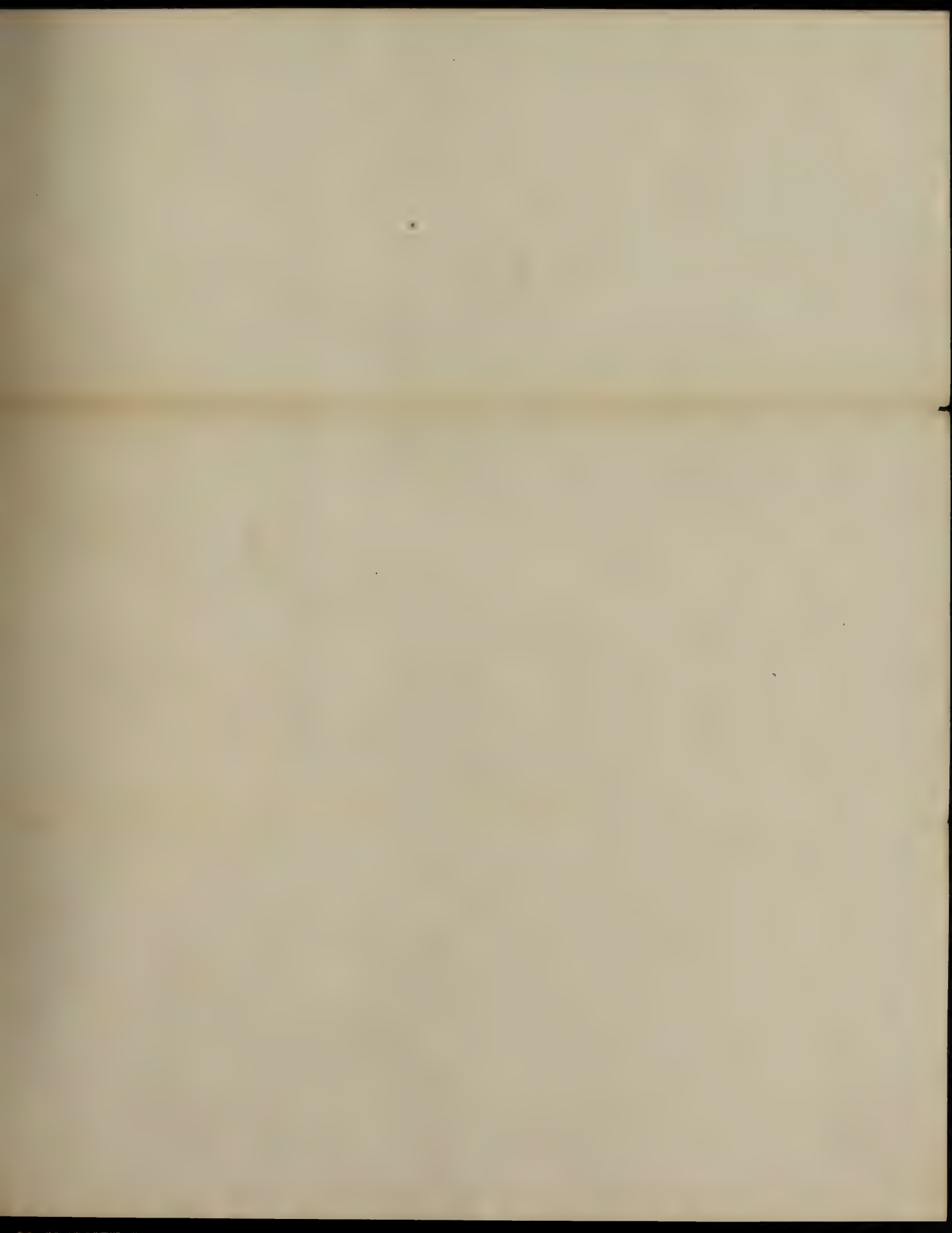
De Ration

June 11th 1840

Let a commission issue as above requested

To the Clerk of the
District Court

John Pitman
Dist. Judge



Buttons & robes
for
Communion

stones

¹⁰
M^{rs} [unclear] (the el a)

I agree that the cases in favor
of ~~Arthur~~ & Father & Allen ~~shall~~
Dorsey shall be entered as the
next June Term 1841 - Judgt
for 0913 Lc Estens ~~shall~~
for A. Stine
July 3. 1841



Cross Interrogatories put by A. C. Eaton
counsel for Pegg to John Burns

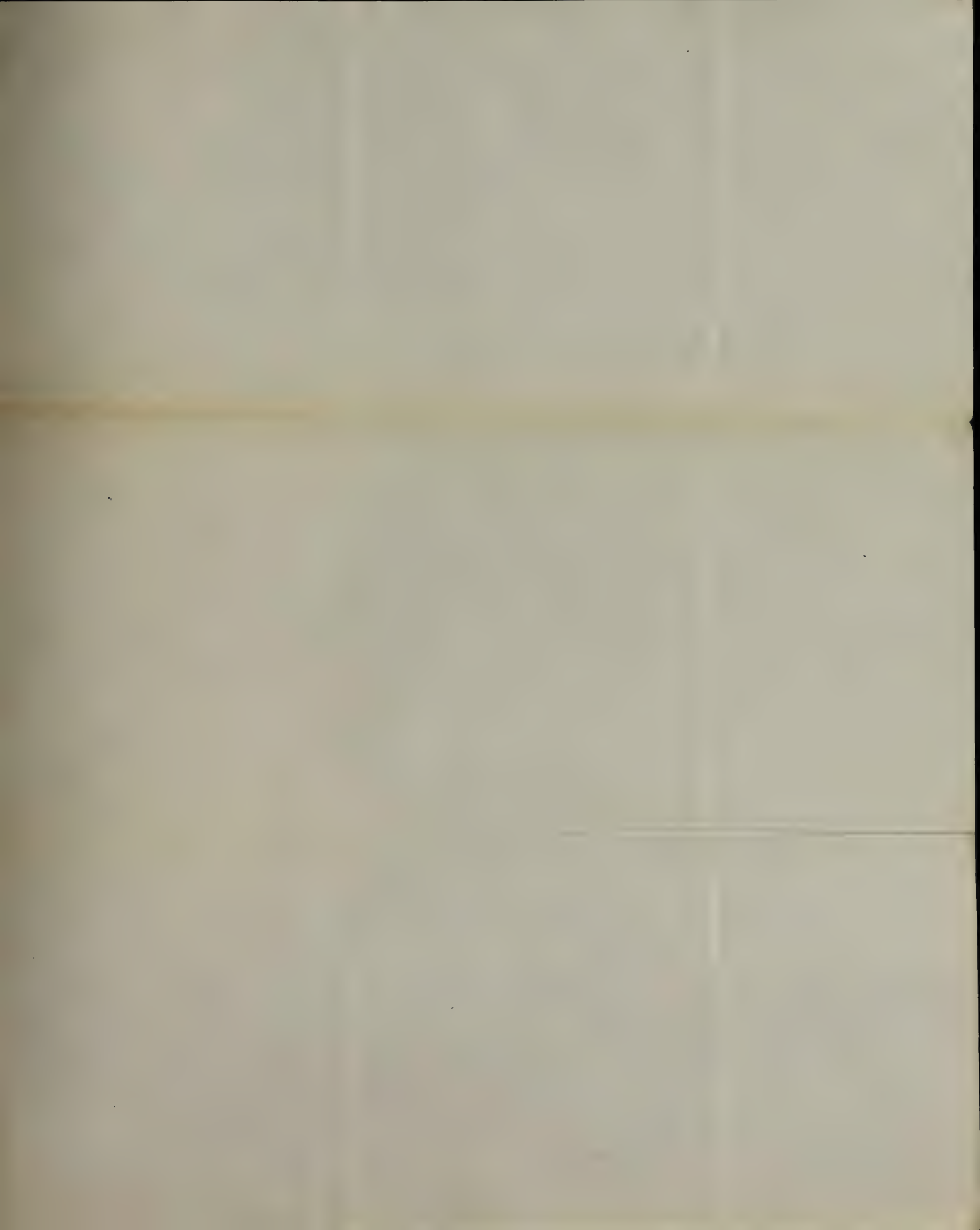
1st Did you not state in your deposition given
in the case Amasa Stone against H. S. Franklin
in or about the year 1832. "That you had
heard that motion was communicated
to the yarn beam from the lighter seed in
Shanter & Co's Mill on the river Clyde-
England Bridge Scotland"?

2nd What did you state in regard to Shanter & Co's
Invention Co's Mill in connection with this
subject?

Cross Interrogatories put by A. C. Eaton counsel
for Pegg. to Moses Paul

1st Did you not state in your deposition given
in or about the year 1832. in the case of
Amasa Stone against H. S. Franklin & wife
that you knew that the lighter seed was
connected to the yarn beam in Mill No 4 in
1827?

2nd Did you not state in your deposition in
H. 1832. referred to above. that Mr Joseph Hall
at the time he was in Dover or at some
previous time mentioned to you a loom with
an improvement. which he had seen or was
going to see in Rhode Island. or any thing
to that effect?



Grado Delencogalinas

Stines

"

May 18th 1842

In cases, Amosa Stone & Mrs. Amosa (Prague)
Same & Crawford Allen & others
Same & Oley, latter

It is agreed by the parties that commissioners
to take depositions may go at the request
of either party upon application to the
District Judge. That depositions may be taken
over or within **the** hundred miles. The
opposite party having reasonable notice of the
taking thereof & that said depositions may
be used in either and all of said cases



In the case Amasa Stone vs William &
Amasa Sprague The Jury find that the
Defendants are not guilty in manner
and form as the Plff. in his Declaration
has alleged.

Thomas Linsley for man

Wendell
Stone

"

Haynes

In the Circuit Court of the United States
~~with~~ to be held at Newport within & for the
District of Rhode Island on the 15th day of
June A.D. 1840 - The within deposition was
taken and sealed up by me - to be used in
action Amasa Stone vs Wm & Amasa Sprague
& als

Chas. W. Woodman Jus Peace

Supreme Court of U. States
in the case of
Morse Island P.

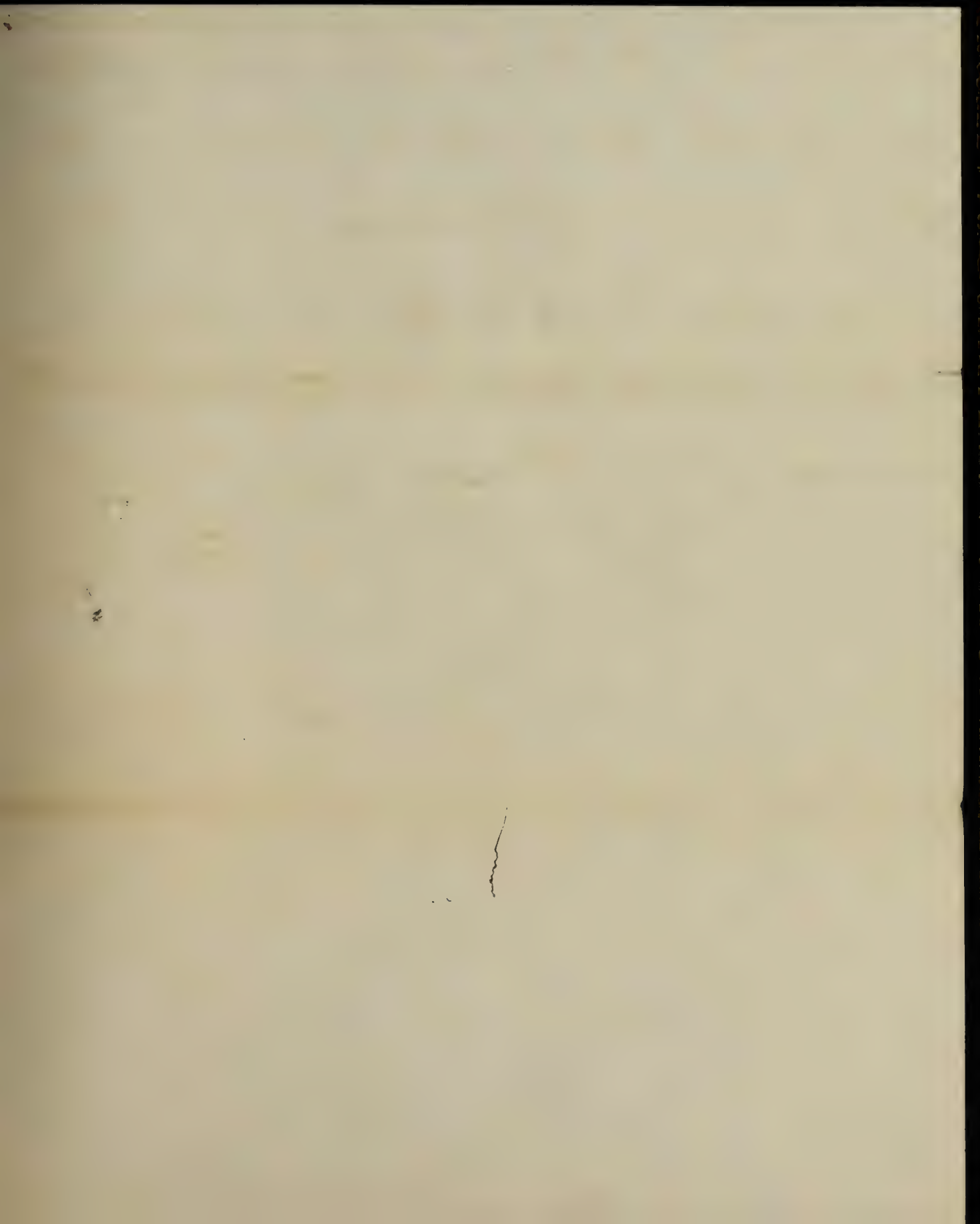
James A. Stone, Jeff
against

William A. Brown, Sprague

In the above entitled case -
which was tried at the June Term
AD 1840 of said Court & verdict
rendered for the Deft, the Jeff
excepted to the Charge of the Court,
and a bill of exceptions was allowed
by the Court; ~~but~~ ^{an} writ of
error has been ^{allanched} prayed for, ~~the~~ ^{ans-}
-igned in ~~the~~ said case -; Now
the said Jeff doth hereby agree

to wait with ^{said unit of persons} hardly waiting, all
right to be out or prosecute
said unit of error, or in any
manner to reverse or annul
said verdict and the judgment
rendered thereon - no execu-
tion to be taken until June
Term returnable as the next
November Term

Levi C. Eaton atty
for A. ~~Proctor~~



20

Amasa Stone

2

(William Amasa Sprague)

Senior's Court of the United States

R. B. District Court Penn 1840

Be it remembered that on the trial of the aforesaid cause the Deft produced evidence to prove and insisted that he had proved the allegations in his declaration set forth and maintained the issue on his part. And the Deft thereupon introduced evidence to prove and insisted that they had proved the allegations in their said plea and notice and maintained the issue on their part.

And the Deft further insisted before said Court of jury that the discovery, invention and improvement by him made & set forth and claimed in his aforesaid Patent consists in the connection of the motion from the Reed & band and with the gam beam and in the connection of the one with the other so that a certain motion of the Reed described in the Patent when communicated to the gam-beam would produce the result in said Patent described, without being limited or confined to the particular mode or description of machinery in the said Patent stated & described, and that his discovery, invention and improvement, having been by him reduced to practice in the manner set forth in his said Patent, consists in the communication and application of said motion to said gam beam in the manner set forth in said Patent and not in the particular machinery or gearing set forth in said Patent by which the communication was made, and that he was entitled to the application of said motion to said gam beam for the purpose aforesaid however communicated and by whatever other machinery or other mode than ^{by the} ~~particular~~ ^{set forth in the specification} machinery, the same might be communicated; and requested said Court so to instruct said Jury. But said Court instructed said Jury that according to the true construction of said Patent, the ^{Invention} ~~Claim~~ by him therein claimed and described was limited and confined to the mode of communication of the said motion specifically set forth and embodied in the particular machinery set forth in the specification, and ~~not in the~~ ^{did not consist} communication and application of said motion to said gam

beam by other machinery or in any other mode as insisted upon by the Plaintiff and that the Patentee had patented a precise mode of communicating said motion and that unless the Defendants had adopted the mode of communication described by the Peff, or one substantially the same, in communicating the motion of the Reed to the gam beam, that on that ground ^{the} verdict must be for the Deft.

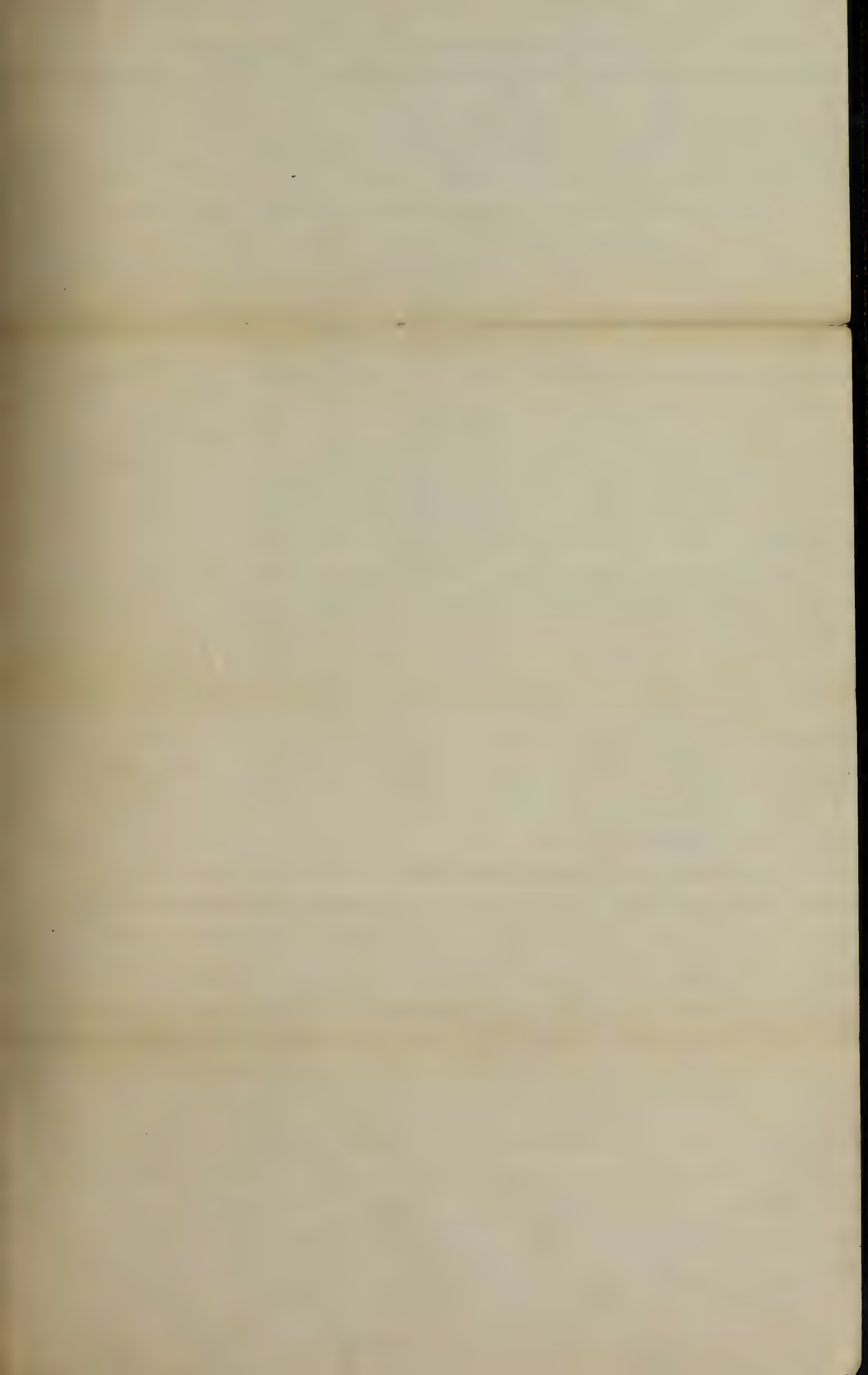
And the Court further instructed the jury that if the Peff did claim under his said specification a patent right for the communication of motion from the reed to the gam beam and in the connection of the one with the other, generally, without ~~any reference to any~~ ^{limiting it to the claim to the} particular machinery or apparatus ^{set forth in the specification}, so as to include all other modes and machinery or apparatus whatever which might be invented by others to accomplish the like communication of motion from the reed to the gam beam, such a claim was a claim for an abstract principle too broad and general to support a Patent right therefore under the acts of Congress.

And thereupon a verdict was found for the Defts. To which opinion of said Court the counsel for the Peff then and there excepted and prays that this his Bill of Exceptions may be allowed by said Court.

The foregoing Bill being ^{found} conformable to the facts of the case is hereby allowed by the undersigned, who sat at the Trial & ordered to be filed of record accordingly. Witness our hands & seals -

Joseph Story one of the Justices
of the Supreme Court of the U.S.
assigned to see first Circuit

John Pitman
District Judge of the N. S.
for the Rhode Island Dist.





Know all Men by these Presents that We
Amasa Stone of Johnston in the District of Rhode Is-
land and Levi C Eaton of North Providence in said Dis-
trict are held and firmly bound unto William Sprague
of Warwick and Amasa Sprague of Cranston in said
District Manufacturers in the sum of Five Hundred
Dollars to be paid to the said William & Amasa Sprague
their Executors Administrators or Assigns. to which pay-
ment well and truly to be made We bind ourselves our
heirs, executors and Administrators jointly and severally firm-
ly by these Presents — Sealed with our Seals and dated
at Providence the twenty ninth day of July in the year
of our Lords one thousand eight hundred and forty —

The Condition of this obligation is such that
whereas the said Amasa Stone has prayed for a writ of
Error to carry up to the Supreme Court of the United States
a certain cause which was determined at the Circuit Court
of the United States holden at Newport within for the
District of Rhode Island on the fifteenth day of June last ^{wherein he is Plaintiff & said William & Amasa Sprague Defendants}

Now if the said Amasa Stone the Plaintiff in said
Case shall prosecute said Writ of Error to effect
before said Supreme Court of the United States
next to be holden at the City of Washington on the
second Monday of January A D 1841. or in default

thereof shall pay all costs that he shall be adjudged to pay
in the premises, then this obligation to be void —

Signed sealed & delivered
in presence of us

John T. Pitman

Lem C. Eaton

Amasa Stone

I have no objection to the above
marriage

Rec'd Sept 25th 1840
July 29th 1840

Bond

Quana Stone

o

Wm & Quana Shapiro

Filed July 29 1840